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Ontario Statutes

The Department of Education Acts

Revised Statutes of Ontario, 1914

Chapter 265

**with Amendments thereto,
1914 to 1925 inclusive**

Bound with 4 others.



ONTARIO
DEPARTMENT OF EDUCATION

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TORONTO

Printed and Published by Clarkson W. James, Printer to the King's Most Excellent Majesty
1925



NOTICE

This pamphlet is published as a compilation only and is not to be regarded as an official consolidation.

The Department of Education Act

(R.S.O., 1914, Chapter 265)

and Amendments thereto, 1914 to 1925 inclusive

An Act respecting the Department of Education.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

GENERAL.

1. This Act may be cited as *The Department of Education Act*. Short title.
R.S.O. 1914, c. 265, s. 1.

2. In this Act,—

Interpreta-
tion.

NOTE.—Clause (a) defining “Council” as meaning Advisory Council of Education omitted as the provisions for the election of the Council were virtually repealed by 1915, c. 43, s. 2.

(b) “Department” shall mean the Department of Education; “Department.”

(c) “Minister” shall mean the Minister of Education; “Minister.”

(d) “Registrar” shall mean the Registrar of the Department; “Registrar.”

(e) “Regulations” shall mean regulations made by the Minister and approved of by the Lieutenant-Governor in Council as provided by this Act. “Regulations.”
R.S.O. 1914, c. 265, s. 2.

3.—(1) There shall be a Department of the Government of Ontario to be known as “The Department of Education,” which shall be presided over by the Minister of Education. Department of Education.

(2) The Lieutenant-Governor in Council may appoint a Deputy Minister of Education and a Registrar of the Department of Education. Deputy Minister and Registrar.
R.S.O. 1914, c. 265, s. 3.

MINISTER OF EDUCATION.

4.—(1) The Minister shall have the administration and enforcement of the Statutes and Regulations respecting Public Schools, Separate Schools, Kindergarten Departments, Supervised and Outdoor Playgrounds, Consolidated Schools, High Schools, Collegiate Institutes, Continuation Schools, Powers of Minister.
Administration.

Technical Schools, School Cadet Corps, all Departments of any such schools, Night Schools, School Gardens, School Libraries, Public Libraries, Travelling Libraries, Library Institutes and of all other schools supported in whole or in part by public money which may hereafter be established, unless other provision is made in the Act by which the school is established. R.S.O. 1914, c. 265, s. 4 (1).

Management of Schools and Institutions.

(2) The Minister shall have the management and control of Model Schools, Normal Schools, the College of Education, Teachers' Institutes, Summer and Vacation Schools and schools for the Education of the Deaf and Dumb and the Blind. R.S.O. 1914, c. 265, s. 4 (2); 1919, c. 73, s. 6 (2).

Appointment of Inspectors, Teachers and Officers.

(3) The Minister may appoint such Inspectors, Teachers and Officers for purposes of instruction, supervision and administration as he may deem expedient.

Prescribing duties of officers.

(4) Subject to the provisions of this Act and to the Regulations, the Minister may prescribe the duties of the Registrar and of all other officers of the Department. R.S.O. 1914, c. 265, s. 4 (3, 4).

Regulations.

5. Subject to the provisions of any Statute in that behalf the Minister, with the approval of the Lieutenant-Governor in Council, may make Regulations,

Schools, departments, etc.

(a) for the establishment, organization, government, courses of study, and examination of the schools, departments, school cadet corps, school gardens, supervised and outdoor playgrounds, institutes and institutions hereinbefore mentioned;

Fees of candidates and students.

(b) prescribing the fees, if any, to be paid by candidates at departmental examinations, other than high school entrance examinations, and by normal and model school students;

Fees of examiners, etc.

(c) prescribing the fees to be paid to presiding officers and examiners in connection with Departmental Examinations and by whom and in what manner such fees and any other expenses in connection with such examinations shall be borne and paid;

Accommodation and equipment of school houses and grounds.

(d) prescribing the accommodation and equipment of school houses and the arrangement of school premises;

Textbooks and books of reference.

(e) authorizing textbooks for the use of pupils and of teachers in training attending such schools, departments, school gardens, corps, institutes and institutions, and books of reference for the use of teachers and pupils. R.S.O. 1914, c. 265, s. 5, cls. (a-e).

- (ee) for the medical and dental inspection of pupils in public and separate schools under agreement between the local boards of health and school boards approved of by the Minister and by the Minister of Health. 1924, c. 83, s. 2. Medical and dental inspection.
- (f) for the management of public, travelling and school libraries and library institutes; Libraries.
- (g) prescribing the qualifications and duties of inspectors, teachers and directors of such schools; departments, corps, school gardens, supervised and outdoor playgrounds, institutes and institutions; Qualification and duties of teachers and inspectors.
- (h) for conducting the examinations prescribed by the Regulations and settling the results thereof; Conducting examinations.
- (i) for granting temporary, interim, special, permanent, and renewed certificates of qualification to teachers; Teachers' certificates.
- (j) for the payment of the superannuation allowances of inspectors and teachers; Superannuation allowances.
- (k) for the apportionment and distribution of all money appropriated by this Legislature for educational purposes, including sums granted for public and travelling libraries and the maintenance of historical, literary and scientific institutions; Apportionment of legislative grant.
- (l) for the affiliation with any University in Ontario or with the Normal or Model Schools of such Collegiate Institutes, High Schools, Public Schools or Separate Schools as he may deem necessary for practical instruction in the art of teaching; Affiliating certain schools with other institutions.
- (m) for accepting such courses and examinations as he may deem adequate for the academic and professional training of teachers. cls. (f-m). Accepting courses and examinations in pedagogy.

NOTE.—Clause (n) providing for regulating the conduct of the business of the Advisory Council of Education omitted. See note as to section 9.

6.—(1) It shall be the duty of the Minister and he shall have power, Powers and duties of Minister.

- (a) to apportion all sums of money appropriated as a general grant for urban public and separate schools among the several cities, towns and villages according to the population of each as compared with the population of all the urban municipalities in Ontario according to the last annual returns received from municipal clerks; Apportionment of general grant for urban schools.

Division
between
public and
separate
schools.

- (b) to divide the amount so apportioned to each city, town and village between the public and separate schools therein, according to the average number of pupils who attended such schools respectively during the next preceding calendar year; R.S.O. 1914, c. 265, s. 6 (1), cls. (a, b).

Payment of
grants to
public and
separate
schools.

- (c) to pay, on or before the first day of August in each year, the grants so apportioned to the Boards of Public and Separate School Trustees upon the warrants of Public and Separate School Inspectors, respectively. R.S.O. 1914, c. 265, s. 6 (1), cl. (c); 1917, c. 27, s. 38.

Apportion-
ment of
special
school
grants.

- (d) Subject to the Regulations to apportion all sums of money appropriated as a special grant for urban public and separate schools among the several cities, towns and villages having regard to the value of the property liable to taxation for school purposes, the expenditure of the board upon education, and to such other considerations as in the opinion of the Minister, should affect such apportionment. 1924, c. 82, s. 2 (1).

Payment of
special grant
to public
schools.

- (e) to pay, on or before the first day of August in each year, the grants so apportioned to the respective boards of public school trustees upon the warrants of the public school inspectors;

Payment of
grants to
separate
schools.

- (f) to pay, on or before the first day of August in each year, the grants so apportioned to the respective boards of separate schools upon the warrants of the inspector of separate schools. R.S.O. 1914, c. 265, s. 6 (1), cls. (e, f).

Apportion-
ment of
grant for
rural schools.

- (g) Subject to the Regulations to apportion all sums of money appropriated as a general grant for rural public and separate schools among such rural schools having regard to the value of the property liable to taxation for school purposes, the attendance at the schools, the expenditure of the board upon education, and to such other considerations as, in the opinion of the Minister, should affect such apportionment.

- (i) A statement showing the amount apportioned to every rural public school and to every separate school under clause g shall be laid before the Assembly within ten days after the commencement of the Session held in the year next after that in which the apportionment takes place. 1924, c. 82, s. 2 (2).

- (h) to pay, on or before the first day of August in each year, the grant so apportioned to the rural public and separate schools in counties, to the treasurer of the county, and through him, except when he acts as sub-treasurer also, to the township treasurers for payment by them to the boards of rural public and separate school trustees upon the warrants of the inspectors of public and separate schools; Payment of grants to rural schools.
- (i) subject to the Regulations, to pay the grants so apportioned to rural public and separate schools in provisional judicial districts to the respective boards of trustees on or before the first day of August in each year or in two equal instalments, the first on or before the 1st day of August and the second on or before the 1st day of December. R.S.O. 1914, c. 265, s. 6 (1), cls. (h, i). Payments of grants to rural schools in districts.
- (ii) subject to the Regulations, to apportion and pay out of any money appropriated for that purpose grants for classes established under *The Auxiliary Classes Act* and amendments thereto; Powers and duties of Minister. Grant for auxiliary classes.
- (iii) to appoint officers for the purpose of medical and dental inspection in public and separate schools throughout Ontario and to prescribe the duties of such officers, and to fix and pay their salaries, and to pay the travelling and other expenses of such officers and the expenses incidental to medical and dental inspection in public and separate schools throughout Ontario. 1919, c. 73, s. 2. Medical and dental inspection.
- (j) subject to the Regulations, to apportion to public and separate school boards in poor rural districts and to the residents of lumber, mining and other settlements, and to any town or village in a provisional judicial district when the circumstances of the case appear to the Minister to warrant the same, all sums of money appropriated for assisted schools. R.S.O. 1914, c. 265, s. 6 (1), cl. (j); 1916, c. 24, s. 34. Apportionment of grants to assisted schools.
- (k) subject to the Regulations, to apportion all sums of money appropriated for high school purposes among the several high schools of the Province, on the basis of the salaries paid to teachers, the character of the accommodation and the value of the equipment, after providing a minimum grant for each school which is equipped in accordance with the Regulations, and notice of such apportionment shall be given to the county clerk of each county so that the county grant may be paid to the treasurer of the board of such school; R.S.O. 1914, c. 265, s. 6 (1), cl. (k). Apportionment of high school grant.

Apportionment of grant made for certain purposes.

- (l) subject to the Regulations, to apportion out of any money appropriated for such purposes all sums payable under any Statute or Regulation towards the maintenance of Faculties of Education in any of the universities, the normal, model or other schools or institutes for the training of teachers, continuation schools and fifth classes, consolidated schools, technical schools, manual training, household science and agricultural departments, school gardens, kindergartens, supervised and outdoor playgrounds, night schools, public libraries, travelling libraries, library schools including the expenses of students in attendance thereat, art schools, school libraries, art departments of schools, cadet corps, and for free textbooks, inspection of schools, and the examination of teachers, and to apportion and distribute any other special sums that may from time to time be appropriated for educational purposes; R.S.O. 1914, c. 265, s. 6 (1), cl. (l); 1917, c. 27, s. 39.

Share of Ontario College of Art in grant for technical education.

- (i) for the purposes of this clause the Ontario College of Art shall be deemed a technical school and the Minister is authorized to pay out of any appropriation made for technical schools such sums as he may deem proper for the erection of buildings for the said college and for the maintenance and support of the college, and to apportion to the said college such share as he may deem proper of any aid received from the Government of Canada towards technical education; 1920, c. 99, s. 2.

Apportionment of grants for agricultural education.

- (m) subject to the Regulations, to apportion all sums received by the Government of Ontario for the purposes of agricultural education from any other source than an appropriation by this Legislature among high schools, continuation schools and public and separate schools of the Province; R.S.O. 1914, c. 265, s. 6 (1), cl. (m).

Duties and powers of Minister.

- (m1) to constitute supervising examination boards, and to appoint members thereof, and to prescribe the duties of such boards, and pay out of any moneys voted for that purpose, the salaries or other remuneration, and travelling or other expenses of the members of such boards; 1918, c. 51, s. 2, *part*.

Supervising examination boards.

Professional training schools.

- (m2) to pay out of any appropriation for professional training schools the travelling and other expenses and such per diem allowances as may be fixed by the Minister for living expenses of students attending

- such schools whenever the Minister deems such payment necessary or desirable; 1918, c. 51, s. 2, *part*; 1919, c. 73, s. 3.
- (m3) to pay out of such moneys as may be voted for that purpose, grants to teachers of art, music, household science, manual training and agriculture, and to define the basis on which such grants may be paid; Grants to teachers of art, music, manual training and agriculture.
- (m4) to apportion and pay out of such moneys as may be voted for that purpose, grants for medical and dental inspection in rural public and separate schools and in public and separate schools in the territory without county organization; 1918, c. 51, s. 2, *part*. Medical and dental inspection in rural schools.
- (n) to accept in lieu of the experience and the departmental courses and examinations prescribed for candidates for teachers' certificates such evidence of experience, academic scholarship or professional training as he may deem equivalent thereto; R.S.O. 1914, c. 265, s. 6 (1), cl. (n); 1917, c. 27, s. 40 (1). Accepting other qualifications in lieu of departmental examinations.
- (nn) to grant certificates of qualification as teachers and instructors in the Ontario School for the Blind and the Ontario School for the Deaf, to such persons as he may deem to be, from their experience and general attainments, qualified to receive such certificate; 1917, c. 27, s. 40 (2). Certificates, to whom granted.
- (o) to submit a case on any question arising under *The Public Schools Act*, *The High Schools Act* or *The Separate Schools Act*, or this Act, to a Judge of the Supreme Court for his opinion and decision, or by the leave of a Judge of such Court, to a Divisional Court for its opinion and decision; The Submitting questions arising upon school law to Supreme Court. 1920, c. 100. Rev. Stat. c. 268. Rev. Stat. c. 270.
- (p) to determine all disputes and complaints laid before him, the settlement of which is not otherwise provided for by law, and all appeals made to him from the decision of an inspector or other school officer; Power to settle disputes and complaints.
- (q) to suspend or cancel any certificate of qualification granted by the Department; Suspension or cancellation of certificate.
- (r) to appoint as a Commission one or more persons, as he may deem expedient, to inquire into and report upon any school matter, with power to administer oaths to witnesses, and with all the powers which may be conferred on commissioners under *The Public Enquiries Act*; and Power to appoint commissioners. Rev. Stat. c. 18.

Annual
report.

- (s) to report annually to the Lieutenant-Governor upon the condition of education in Ontario, with such suggestions for the improvement thereof as he may deem expedient. R.S.O. 1914, c. 265, s. 6 (1), cls. (o-s).

Distribution
of legisla-
tive grant
between
public and
separate
schools.

- (2) The Minister shall so divide the sums appropriated for the purposes mentioned in clauses *d* and *g* of subsection 1 that out of each of them there shall be allotted to the Separate Schools a sum which bears the same ratio to the whole sum appropriated as the average number of pupils who attended such schools during the next preceding calendar year bears to the whole average number of pupils who attended both Public and Separate Schools during that year, and that the residue shall be allotted to the Public Schools, and, subject to the Regulations, shall apportion among the Public Schools the sums so allotted to them and among the Separate Schools the sums so allotted to them on the respective bases mentioned in clauses *d* and *g*.

Apportion-
ment of
grants for
certain
purposes.

- (3) All money appropriated for any of the following purposes mentioned in clause *l* of subsection 1, that is to say:

- (a) Fifth classes;
- (b) Manual training, household science, art and agricultural departments;
- (c) School gardens;
- (d) Kindergartens;
- (e) Night schools;
- (f) Free textbooks;
- (g) Other educational purposes not specially mentioned in the said clause *l*;

which is applied for the purposes of primary education shall be allotted, divided and apportioned as provided by subsection 2.

Meaning of
"Primary
Education."

- (4) Primary education for the purposes of subsection 3 shall mean education in the Public or Separate Schools.

Dispos. of
surplus.

- (5) Any part of the sums appropriated for the purposes mentioned in subsections 2 and 3, and allotted to the Public Schools as provided by subsection 2, which shall not be required to pay the amounts to which such schools shall be entitled on the respective bases mentioned in clauses *d* and *g* of subsection 1, shall lapse and become part of The Con-

solidated Revenue Fund, and in like manner any part of the sums allotted to the Separate Schools which shall not be required to pay the amounts to which such schools shall be entitled on the respective bases mentioned in clauses *d* and *g* of subsection 1 shall lapse and become part of The Consolidated Revenue Fund. R.S.O. 1914, c. 265, s. 6 (2-5).

6a. Notwithstanding anything in this Act or in any other Act contained, the Minister may, in his discretion, grant,—

Certificates of qualification to persons other than British subjects.

- (a) a temporary certificate of qualification as a teacher to any person who, although not a British subject, has applied for naturalization and whose application for naturalization is pending, where the Minister deems the employment of such person necessary for special reasons; or
- (b) a certificate of qualification as a teacher of French, Italian or Spanish to any person who is not a British subject and who possesses the other qualifications prescribed by the Regulations and who has served in the military or naval forces of Great Britain or any of her Allies during the Great War. 1919, c. 73, s. 4.

6b.—(1) The Lieutenant-Governor in Council may, upon the recommendation of the Minister, for and in the name of the Province, guarantee the payment of any debentures issued by a board of public school trustees or a board of separate school trustees or by a municipal corporation in a provisional judicial district for any school purpose for which such board or municipal corporation is authorized to issue debentures. 1921, c. 89, s. 3.

Guaranteeing payment of school debentures.

(2) The form of the guarantee and the manner of its execution shall be determined by the Lieutenant-Governor in Council, and every guarantee given or purporting to be given under the authority of this section shall be binding upon the Province and shall not be open to question upon any ground whatsoever. 1920, c. 99, s. 3, *part.*

Form of guarantee.

(3) Any debenture, payment of which is guaranteed on behalf of the Province of Ontario under this section, shall be valid and binding upon the municipal corporation by which it is issued, and the ratepayers thereof, according to its terms, and the validity of any debenture so guaranteed shall not be open to question on any ground whatsoever. 1925, c. 78, s. 2.

Validity of guaranteed debenture.

NOTE.—Sections 7 and 8 repealed by 1919, c. 73, s. 5.

COLLEGE OF EDUCATION.

Establish-
ment of
College of
Education.

8a.—(1) The Minister, with the approval of the Lieutenant-Governor in Council, may establish and conduct a College of Education for the professional training and instruction of teachers and for that purpose may,—

Powers of
Minister.

- (a) Acquire by purchase or otherwise, or appropriate any lands, buildings or other real or personal property which he may deem necessary;
- (b) Establish, erect and maintain all buildings, and provide such equipment, plant and appliances as he may deem expedient;
- (c) Appoint officers, professors, instructors and teachers for the College;
- (d) Provide for the affiliation of the College with any University or enter into arrangements for the use of any primary or secondary school for practice teaching purposes or for the services of teachers in any secondary school as lecturers or instructors in the college;
- (e) Prescribe the course of training and study for students attending such College;
- (f) Grant diplomas, certificates or other evidences of proficiency to the students, teachers and graduates of such College;
- (g) Generally, with the approval of the Lieutenant-Governor in Council, do all such things and enter into all such agreements and arrangements as may be deemed advisable for establishing, maintaining equipping, furnishing and conducting any such college.

Expenses of
College.

(2) The expenses of establishing a College, the acquiring of property, plans, appliances and equipment therefor, the salaries of the officers, professors, instructors, teachers and servants of the College and the maintenance thereof shall be payable out of such moneys as may be appropriated by the Legislature for the purposes of the College of Education. 1919, c. 73, s. 6 (1).

NOTE.—*Sections 9 to 25 virtually repealed by 1915, c. 43, s. 2.*

SEPARATE SCHOOLS.

Powers of
Minister as
to separate
schools.

26. Subject to the provisions of this Act, every power, right and authority now by law vested in or held, had or possessed by the Minister or by the Department of Education

in respect to Roman Catholic Separate Schools or to any matter or thing pertaining to or affecting such Separate Schools shall be vested in and held, had and possessed by the Minister. R.S.O. 1914, c. 265, s. 26.

REGULATIONS AND ORDERS IN COUNCIL.

27.—(1) Every Regulation and every Order in Council made under the authority of this Act or of the Acts relating to Public Schools, Separate Schools or High Schools shall be laid before the Assembly forthwith if the Assembly is then in session, and if the Assembly is not then in session, within the first seven days of the next session after such Regulation or Order in Council is made.

Regulations and Orders in Council to be laid before the Legislative Assembly.

(2) Where the Assembly at such session, or if the session does not continue for three weeks after the Regulation or Order in Council is laid before the Assembly then at the next ensuing session, disapproves by resolution of such Regulation or Order in Council, or of any part thereof, the Regulation or Order in Council, so far as disapproved of, shall have no effect from the time of the passing of such resolution. R.S.O. 1914, c. 265, s. 27.

Disapproval by Legislative Assembly.

PENALTIES.

28.—(1) A teacher, trustee, inspector or other person officially connected with the Department, or with any normal, model, public or high school or collegiate institute, or other institution which is under the management or control of the Department, shall not sell or become or act as agent for any person to sell or to promote in any way the sale of any school library, prize, or textbook, map, chart, school apparatus, furniture, stationery or other article for the use of any normal, model, public, or high school, collegiate institute or other institution aforesaid or for the use of any pupil thereof, nor shall he receive directly or indirectly compensation or other remuneration or the equivalent for so doing.

No inspector, trustee, teacher, etc., to act as agent for the sale of books, maps, etc.

(2) For any contravention of subsection 1 a teacher shall incur a penalty of \$50; a trustee shall incur a penalty of \$100; an inspector shall incur a penalty of \$500; and any other person so officially connected shall incur a penalty of \$100.

Penalties for same.

(3) Any person, firm or corporation and any agent of a person, firm or corporation who employs a teacher, trustee, inspector or any other person officially connected with the Department or with any normal, model, public or high school or collegiate institute, or other institution which is under the management or control of the Minister, to sell or become or act as agent for or to promote in any way the sale of any

Penalty against business firm or agent.

school library, prize or textbook, map, chart, school apparatus, furniture, stationery or other article for the use of any normal, model, public or high school, collegiate institute, or other institution aforesaid, or who directly or indirectly gives or pays to any such teacher, trustee, inspector or other person compensation or remuneration or the equivalent thereof for so doing shall for every such offence incur a penalty of \$500.

Gifts, etc.,
to be
prima facie
evidence.

(4) Any gift or payment made to a teacher, trustee, inspector or other person so officially connected by any person, firm or corporation interested either as principal or agent in any such sale shall be *prima facie* evidence of a violation of this section.

Recovery of
penalties.
Rev. Stat.
c. 90.

(5) The penalties imposed by this Act shall be recoverable under *The Ontario Summary Convictions Act*.

Application
of penalties.

(6) The penalties recovered under this Act shall be applied to such purposes as the Minister may direct.

Consent of
Attorney-
General to
prosecution.

(7) No prosecution for any of the penalties mentioned in this section shall be instituted without the written consent of the Attorney-General or his deputy.

Sale in
ordinary
course of
business
excepted.

(8) This section shall not apply to sales made by a trustee who is a merchant or book seller in the ordinary and regular course of his business as such and made at his shop or place of business. R.S.O. 1914, c. 265, s. 28.

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THE Public Schools Act, 1920

BEING CHAPTER 100 OF THE ONTARIO STATUTES, 1920, AND
AMENDMENTS THERETO, INCLUDING THE SESSION OF 1925.



ONTARIO
DEPARTMENT OF EDUCATION

TORONTO

Printed and Published by Clarkson W. James, Printer to the King's Most Excellent Majesty

1925

NOTICE

This pamphlet is published as a compilation only and is not to be regarded as an official consolidation.

An Act to consolidate and amend The Public Schools Act.

Assented to June 4th, 1920.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

GENERAL.

1. This Act may be cited as *The Public Schools Act, 1920*. Short title. 1920, c. 100, s. 1.

2. In this Act,—

- | | |
|---|--------------------------|
| | Interpreta-
tion. |
| (a) "Board" shall mean a board of public school trustees; | "Board." |
| (b) "County inspector" shall mean the inspector appointed for a county inspectorate; | "County inspector." |
| (c) "County inspectorate" shall mean a county or portion of a county or portions of two or more counties for which an inspector is appointed, but shall not include a city or separated town for which an urban inspector is appointed; | "County inspectorate." |
| (d) "District inspector" shall mean an inspector appointed for a district inspectorate; | "District inspector." |
| (e) "District inspectorate" shall mean an inspectorate composed of territory outside of county organization. | "District inspectorate." |
| (f) "Elector" shall mean any person entered on the last revised voters' list as qualified to vote at municipal elections and who is not a supporter of separate schools; | "Elector." |
| (g) "Inspector" shall mean public school inspector; | "Inspector." |
| (h) "Inspectorate" shall mean the territory for which an inspector is appointed; | "Inspectorate." |
| (i) "Minister" shall mean Minister of Education; | "Minister." |
| (j) "Ratepayer" shall mean any person entered on the last revised assessment roll of the school section for public school rates; | "Ratepayer." |

- "Regulations,"
Rev. Stat.,
c. 265.
- (k) "Regulations" shall mean regulations made under
The Department of Education Act;
- "School
section."
- (l) "School section" and "section" shall include a part
of one or more township municipalities under the
jurisdiction of one public school board;
- "School
site."
- (m) "School site" shall mean the land necessary for a
schoolhouse, playgrounds, school garden, teacher's
residence, caretaker's residence, drill hall, gym-
nasium and offices connected therewith;
- "Secretary"
or "Treas-
urer."
- (n) "Secretary" or "Treasurer" shall include a secretary-
treasurer;
- "Separated
town."
- (o) "Separated town" shall mean a town which does not
form part of a county for municipal purposes;
- "Teacher."
- (p) "Teacher" shall mean a person holding a legal cer-
tificate of qualification;
- "Township."
- (q) "Township" shall include a union of townships;
- "Township
board."
- (r) "Township board" shall mean a board having juris-
diction over all the public schools in a township;
- "Urban
inspector."
- (s) "Urban inspector" shall mean the inspector appointed
for an urban inspectorate;
- "Urban
inspector-
ate."
- (t) "Urban inspectorate" shall mean a city or separated
town not included in a county inspectorate;
- "Urban
muni-
cipality."
- (u) "Urban municipality" shall mean a city, town or
village. 1920, c. 100, s. 2.

Application
of regu-
lations.

3. The Regulations, though not specially referred to, shall apply to any matter or thing in this Act contained, so far as the same are consistent with this Act. 1920, c. 100, s. 3.

Exemption
of support-
ers of
Roman
Catholic
separate
schools.

4. Nothing in this Act authorizing the levying or collecting of rates on taxable property for public school purposes shall apply to the supporters of Roman Catholic separate schools except that all taxable property shall continue to be liable to taxation for the purpose of paying any liability incurred for public school purposes while such property was subject to taxation for such purposes. 1920, c. 100, s. 4.

Existing
school
arrange-
ments
continued.

5. Until altered under the authority of this Act all public school sections or other public school divisions shall continue as they now exist; all trustees duly elected and all officers duly appointed shall continue in office; and all agreements, contracts, assessments, and ratebills heretofore duly

made in relation to public schools and existing when this Act takes effect shall continue subject to the provisions of this Act. 1920, c. 100, s. 5.

PUBLIC SCHOOLS TO BE FREE.

6.—(1) All schools established under this Act shall be free public schools, and every person between the ages of five and twenty-one years, except persons whose parents or guardians are separate school supporters, shall have the right to attend some such school in the urban municipality or rural school section in which he resides. Public schools to be free.

(2) Children between the ages of four and seven years may attend kindergarten schools, subject to the payment of such fees as to the board may seem expedient. Right to attend kindergarten schools.

(3) Every corporation, society, agent or person having the custody of a child, and being a public school supporter, shall be entitled to send such child to the public school of the municipality or school section in which the child resides as if he were the child of a ratepayer in such municipality or school section; and every such corporation, society, agent or person shall be subject to the provisions of *The School Attendance Act, 1919*, in the same manner and to the same extent as a ratepayer. 1920, c. 100, s. 6. Rights of persons having charge of children. 1919, c. 77.

SCHOOL YEAR AND HOLIDAYS.

7.—(1) The school year shall consist of two terms, the first of which shall begin on the 1st day of September and shall end on the 22nd day of December, and the second of which shall begin on the 3rd day of January and end on the 29th day of June. Terms.

(2) Every Saturday, every public holiday, the week following Easter Day, and every day proclaimed a holiday by the authorities of the municipality in which the teacher is engaged and every day upon which a school is closed under the provisions of *The Public Health Act* or the Regulations of the Department of Education shall be a holiday in public schools. Holidays.

(3) With the approval of the inspector, the board of a rural school section may substitute holidays in some other part of the year for part of the time herein allowed for Easter and midsummer vacations to suit the convenience of pupils and teachers, provided always that the same number of holidays be allowed in each year. In rural school sections.

(4) When there is no county organization, the inspector, subject to an appeal to the Minister, may determine the Determining school terms in districts.

during which a school shall be kept open each year, and it shall be the duty of the board to keep the school open during the whole of the time so determined. 1920, c. 100, s. 7.

RELIGIOUS INSTRUCTION.

Religious
exercises.

8.—(1) No pupil in a public school shall be required to read or study in or from any religious book, or to join in any exercise of devotion or religion, objected to by his parent or guardian.

Religious
instruction.

(2) Subject to the Regulations, pupils shall be allowed to receive such religious instructions as their parents or guardians desire. 1920, c. 100, s. 8.

SCHOOL VISITORS.

Public
school
visitors
defined.

9.—(1) Judges, members of the Assembly, and members of municipal councils, shall be school visitors in the municipalities where they respectively reside, and every clergyman shall be a school visitor in the municipality where he has pastoral charge.

Their
powers.

(2) School visitors may visit public schools, may attend any school exercises, and at the time of any visit may examine the progress of the pupils and the state and management of the schools, and give such advice to the teachers and pupils and any others present, as they deem expedient. 1920, c. 100, s. 9.

SCHOOL LANDS GRANTED PRIOR TO 24TH JULY, 1850.

School lands
granted
before 1850
vested in
trustees for
school
purposes.

10.—(1) All lands which before the 24th day of July, 1850, were granted, devised or otherwise conveyed to any person or persons in trust for common school purposes and held by such person or persons and their heirs or other successors in the trust, and have been heretofore vested in the public school trustees of the school section or municipality in which such lands are respectively situate, shall continue vested in such trustees, and shall continue to be held by them and their successors upon the like trusts and subject to the same conditions and for the estates upon or subject to or for which such lands are now respectively held. 1920, c. 100, s. 10.

Disposal of
school lands
by boards.

(2) Notwithstanding anything in subsection 1, lands originally granted or conveyed by the Crown for common school purposes and held by the trustees of a school section or municipality may be leased, sold or otherwise disposed of with the approval of the Lieutenant-Governor in Council and upon such conditions as to the investment or application of the proceeds or otherwise as may be prescribed in the order granting such approval. 1924, c. 82, s. 3.

SELECTION OF SCHOOL SITES BY RURAL BOARDS.

11.—(1) Whenever it is deemed expedient by or it is the duty of a rural school board to erect a new school building, or to change the site of an existing school house; or where a petition in that behalf is presented by twenty-five per centum of the ratepayers of the school section, the board shall select a school site and shall thereupon call a special meeting of the ratepayers to consider the site selected by the board, whether the same be the present site or a new site; and if a majority of the ratepayers present at the meeting by resolution approve of such site, the same shall be adopted by the board and no site shall be adopted by the board until so approved except as provided in the following subsections of this section. 1920, c. 100, s. 11 (1); 1921, c. 89, s. 4.

(2) In case a majority of the ratepayers present at such special meeting differ from the board as to the suitability of the site selected by it, each party shall then and there choose an arbitrator, and the inspector or, in case of his inability to act, any person appointed by him to act on his behalf, shall be a third arbitrator; and such three arbitrators or a majority of them present at any lawful meeting shall make and publish their award, and may, in and by the award, approve of the site selected by the board or may change the boundaries of the same or may select such other site as the arbitrators or the majority of them deem more suitable for the purpose.

(3) With the consent, or at the request of the parties to the reference, the arbitrators, or a majority of them, shall have authority, within one month from the date of their award, to reconsider the award and within two months thereafter to make and publish a second award, which award, or the previous one, if not reconsidered by the arbitrators, shall be binding upon all parties concerned for at least five years from the date thereof; but if the boundaries of the section have been altered before any action has been taken by the board to purchase the site, proceedings under this section may be taken for the selection of a site as if no award had been made.

(4) If the board or the majority of the ratepayers present at a public school meeting neglect or refuse, where there is a difference in regard to the selection of a school site, to appoint an arbitrator as provided in this Act, the inspector with the arbitrator appointed shall meet and determine the matter; and the inspector in case of such refusal or neglect shall have a second or casting vote if he and the arbitrator appointed do not agree. 1920, c. 100, s. 11 (2, 4).

ACTIONS TO SET ASIDE AWARDS.

Consent of majority of ratepayers to action to set aside award.

12. No action to set aside an award made under this Act shall be undertaken by or at the instance of the board of a rural school section without the consent of the majority of the ratepayers of the section present at a special meeting duly called to consider the advisability of such action being brought. 1920, c. 100, s. 12.

SCHOOL WALLS AND FENCES.

Fence.

13. Any wall or fence deemed necessary by the board or required by the Regulations for the enclosure of the school premises shall be erected and maintained by the board. 1920, c. 100, s. 13.

ENLARGEMENT OF SCHOOL GROUNDS BY BOARD.

Enlargement of school site.

14. Where the area of a rural school site is less than is required by the Regulations the board may, without reference to a special meeting of the ratepayers, enlarge the same so as to conform to the Regulations. 1920, c. 100, s. 14.

ALTERATION OF SECTION BOUNDARIES.

Union of two or more sections.

15.—(1) The council of a township may pass by-laws:

(a) To unite two or more sections in the same township into one section if, at a meeting of the ratepayers in each section called by the board or by the inspector for that purpose, a majority of the ratepayers present at each meeting request to be united;

Constitution of board when all sections united.

(i) But when all the school sections in a township have been consolidated the council may limit the number of trustees constituting the board to not less than six, after at least one month's notice in writing has been given to the secretary of the board of the intention to consider a resolution to that effect, and in such case the council may provide for the election of all trustees by a general vote of the ratepayers of the whole township or may divide the township into as many districts as there are trustees to be elected and provide for the election of one trustee for each of such districts;

Alteration, etc., of school sections.

(b) To alter the boundaries of a school section, or to divide an existing section into two or more sections, or to unite any part or parts of an existing section with another section or sections, or with a new

section, or to unite parts of existing sections so as to form a new section, in case it clearly appears that all persons to be affected by the proposed alteration, division or union have been duly notified in such manner as the council may deem expedient of the proposed by-law for that purpose, or of any application made to the council for such alteration, division or union.

(2) No such by-law shall be passed later than the 1st day of June in any year nor shall any such by-law subject to the provisions as to the formation, alteration or dissolution of union school sections, take effect, except as herein otherwise provided, before the 25th day of December next thereafter, and subject to the provisions hereinafter contained every such by-law shall remain in force unless set aside as hereinafter provided, for a period of five years.

Time for passing by-law; commencement and duration.

(3) The township clerk shall transmit a copy of such by-law immediately after the passing thereof to the board of every school section affected thereby and to the inspector. 1920, c. 100, s. 15 (1-3).

Clerk to send copies to board and inspector.

(4) Where in the opinion of the inspector a change in the assessment, population or otherwise has so materially affected a school section that a readjustment of the boundaries thereof is required, or where part of a school section has been added to a city or town the council of the municipality in which such section or the remaining portion of such section is situate may pass a by-law for the readjustment of the boundaries of such school section or remaining part of the school section notwithstanding the passing of a by-law or the publication of an award within five years affecting the limits of such section or part of the section or adjoining sections. 1920, c. 100, s. 15 (4); 1922, c. 98, s. 4.

When part of section is added to city or town.

(5) Any section formed by dividing an existing section shall be deemed to be a new section for all purposes.

Status of section formed by division of section.

(6) The council of a county, at the request of a majority of the councils of the townships in the county for a readjustment of the boundaries of the school sections in the county shall appoint arbitrators as provided by section 21.

Readjustment of boundaries of school sections in counties.

(7) The council of a county may in like manner appoint arbitrators at the request of the council of any township in the county to readjust the boundaries of the school sections in the township.

Readjustment of boundaries of school sections in townships.

(8) The arbitrators shall take action and make their award and the same may be put into effect notwithstanding that

Time-limit not to prevail.

award or change of boundaries has not expired. 1920, c. 100, s. 15 (5-8).

By-law
setting
apart
township
school
area.

15a.—(1) The council of a township may by by-law passed with the consent of a majority of the whole number of members of the council before the 1st day of July in any year, set apart any portion of the township lying contiguous to a city or town as a township school area and may declare that thereafter the school sections included in the township school area shall cease to exist as separate school sections and that the school boards having jurisdiction therein shall be dissolved. 1921, c. 89, s. 5, part; 1922, c. 98, s. 5 (1).

When
by-law to
take effect.

(2) The by-law shall take effect from the 25th day of December in the year in which the same is passed but all school boards in such school sections shall remain in office until a board for the township school area has been elected and organized as hereinafter provided.

Board of
public
school
trustees
for
township
school
area.

(3) There shall be a board of public school trustees for every township school area which shall consist of five members, and the board shall have and may exercise and perform the like powers and duties with respect to public schools in the township school area as in the case of a township board.

Election
of trustees.

(4) For the year following the year in which the by-law takes effect and in each year thereafter a board of public school trustees shall be elected for the township school area and the election of trustees shall be by ballot and shall be held as nearly as may be in the same manner as an election of members of a municipal council, and the secretary or secretary-treasurer of the board, or in the case of a first election, a person appointed by the inspector, shall be returning officer at such election and all the provisions of this Act applicable to the election of school trustees by ballot shall apply as nearly as may be to the election of school trustees under this section.

Incorporation.

(5) Every board of school trustees of a township school area shall be a corporation by the name of "The board of school trustees of the township school area of " or by such other designation as the by-law may provide.

Vesting
of real and
personal
property
in board
of town-
ship school
area.

(6) Upon the election and organization of a board of public school trustees for a township school area the board of public school trustees for every school section then in existence in the township school area shall be dissolved and all the property, real and personal, vested in the board of any such school section shall be vested in and become the property of the board of the township school area. 1921, c. 89, s. 5, part.

(6a) The board of the township school area shall be responsible for and shall discharge all liabilities and obligations of each of the school sections included in the township school area, and the indebtedness of the board of any school section shall be provided for by a general rate levied upon all property liable to taxation for public school purposes in the township school area. 1922, c. 98, s. 5 (2). Board responsible for obligations of each school in township school area.

(7) No by-law shall be passed under the provisions of subsection 1 until the same shall have been submitted to and approved in writing by the Minister. 1921, c. 89, s. 5, part. Approval of Minister.

15b. Subject to the approval of the Minister the board of public school trustees of a township school area may enter into an agreement with the board of education or board of public school trustees of a contiguous city or town for the purposes and in the manner provided by section 75. 1921, c. 89, s. 5, part. Agreement with urban board.

15c.—(1) Where the board of public school trustees of a township school area has entered into an agreement under section 15b with the board of a contiguous city or town, the council of the township may exempt the portion of the township included in such township school area from the general rate required to be levied under section 96, but such exemption shall not be granted until the Minister has given his approval thereto in writing. Exemption from township rate.

(2) Where an exemption is granted from the township rate under subsection 1, the township school area shall not share in the expenditure of any sum raised by any such general rate, nor shall it be necessary for the township council in fixing such rate to take into account schools in the township school area. 1921, c. 89, s. 5, part. Where exemption granted township school area not to share in rate.

ESTABLISHMENT OF METROPOLITAN SCHOOL AREAS.

15d.—(1) (a) The council of any county in which there is situated a city of at least 100,000 inhabitants may, subject to the approval of the Lieutenant-Governor in Council, by by-law passed before the 1st day of July in any year set aside any definite area in the county adjacent to such city as a metropolitan school area. Establishment of metropolitan school area.

(b) The by-law shall take effect as from the 1st day of January next after the date of the passing thereof. Commencement of by-law.

(2) (a) The by-law shall provide for the establishment of a metropolitan public school board and for the representation thereon of the school sections or municipalities, or parts of municipalities, included in the metropolitan school area as Board.

pose may group any number of school sections or municipalities included in the metropolitan school area but the number of members to be elected in the metropolitan school area shall in no case exceed twelve.

Manner of election.

(b) The members of the board to be elected shall be so elected in the same manner and at the time and place provided for the election of members of municipal councils in the municipalities included in the metropolitan school area and the first election shall take place at the municipal election held next after the passing of the by-law.

Term of office.

(c) The by-law shall provide that one-half of the members so elected at the first election shall hold office for two years and one-half the number elected shall hold office for one year and thereafter vacancies upon the board arising from the expiry of the term of office of any member shall be filled by the election of a member to hold office for two years.

Vacancies.

(d) Where any elected member of the board dies, retires from office or vacates his seat by reason of non-attendance, or becomes incapable of acting, the county council shall at the next meeting after the occurrence of such vacancy appoint a duly qualified person to fill the vacancy for the remainder of the term for which the person whose office has become vacant was elected.

Qualifications.

(e) The elected members of the board shall possess the same qualifications as urban school trustees.

Dissolution of section boards.

(3) From the date of the commencement of the by-law the public school boards heretofore established in the area so set apart shall be dissolved and all property, real and personal, vested in such boards together with all powers, rights, privileges and functions theretofore possessed by them shall be vested in "The Metropolitan Public School Board."

Assumption of assets and liabilities.

(4) The board of the metropolitan school area shall be responsible for and shall discharge all liabilities and obligations of each of the school sections or municipalities included in the metropolitan school area and any indebtedness of the board of any school section or municipality shall be provided for by the general rate levied upon all property liable for taxation for public school purposes in the metropolitan school area.

Annual estimates.

(5) (a) The metropolitan school board shall annually, on or before the 1st day of March, make up its estimates of the cost of establishing, equipping and maintaining public schools in the metropolitan school area and the same shall be raised, levied and collected by general rate levied upon all property liable to taxation for public school purposes in the metropolitan school area.

(b) The board shall apportion to each municipality, all or any part of which is included in the metropolitan school area, the amount to be raised in that municipality and it shall be the duty of the council of such municipality to raise, levy and collect the same accordingly. Apportionment of expenses of board.

(c) No rates for public school purposes other than those provided for by this Act shall be raised, levied or collected in the metropolitan school area and the metropolitan school area shall not share in the expenditure of any sum raised by any such rate except the rates to be levied and collected by the metropolitan school board under the authority of this Act. 1925, c. 78, s. 3. Limitation as to rates to be levied.

APPEALS FROM TOWNSHIP COUNCIL.

16.—(1) A board, or any five ratepayers of any one or more of the school sections concerned, may within twenty days by notice filed in the office of the county clerk appeal to the county council of the county in which such section or sections are situate against any by-law of the township council for the formation, division, union or alteration of their school section or sections, or against the neglect or refusal of the township council, on application being made to it by a board or any five ratepayers concerned, to form, unite, divide or alter the boundaries of a school section or school sections within the township. Appeal to county council.

(2) The time for appeal shall run from the date of the by-law complained of or from the date of the meeting at which the council refused to pass the by-law, or from the second meeting after which notice was received by the clerk of the application of the board or ratepayers asking for such by-law to be passed, as the case may be. Time for appeals.

(3) The county council may if it thinks fit to appoint a board of arbitrators consisting of not more than five nor less than three competent persons, two of whom shall be the county judge, or some person named by him, and the inspector, a majority of whom shall form a quorum, to hear such appeal and to form, divide, unite or alter the boundaries of the school section or school sections so far as to settle the matters complained of. Appointment of arbitrators.

(4) Due notice of the alteration or of the determination of the arbitrators shall be given by the inspector to the clerk of the township and to the school boards concerned. Notice.

(5) In a provisional judicial district the appeal shall be to a board of three arbitrators composed of the judge of the district court or some person named by him, the inspector and some person appointed by by-law or resolution of the township council. Appeals in territorial districts.

- (a) The notice of appeal shall be given to the clerk of the township, the inspector and the judge;
- (b) The township council at its first meeting after service of such notice upon the township clerk shall appoint their arbitrator, and the clerk of the township shall forthwith notify the inspector of such appointment;
- (c) The judge upon receipt of the notice of appeal shall notify the inspector in writing of his willingness to act as arbitrator or shall name some person to act in his stead and notify the inspector in writing of such appointment;
- (d) When the board is complete the judge or his nominee shall convene the first meeting of the board and he shall be chairman thereof.

When alterations or determination of appeal to take effect—duration.

(6) The alterations or determination of such matters except as herein otherwise provided shall not take effect before the 25th day of December in the year in which the award is made and shall thence continue in full force for the period of five years at least, and thereafter until changed under this Act.

Who may act as arbitrators.

(7) No person shall be nominated or appointed arbitrator who is a member of the township council or who was a member at the time at which the council passed or refused or neglected to pass the by-law. 1920, c. 100, s. 16.

**NOTE:—The following sections are numbered 16a to 16g for convenience and are taken from The Consolidated Schools Act, 1919, and amendments thereto.*

CONSOLIDATED SCHOOLS.

Agreements for consideration.

***16a.**—(1) For the purpose of establishing and maintaining consolidated schools agreements may be entered into for the consolidation of school sections, union school sections or incorporated villages, or union school sections composed of portions of townships and incorporated villages or portions of incorporated villages, or for the consolidation of any of these with any of the others.

Provisional division of school section.

(2) Where the council of a township deems it desirable for the purposes of facilitating the establishment of a consolidated school, that a school section in the township should be divided, the council may, at any time, by by-law, divide such school section into two or more provisional school sections, and for the purpose of entering into an agreement under subsection 1, each part of the section so divided shall be deemed a separate school section, but such division shall not have effect or apply

for any other school purpose until a consolidated school section has been established as provided in this section.

- (a) Upon the establishment of a consolidated school section including part of the section so divided, the council of the township may by by-law annex the remaining portion of the section to any contiguous school section or may constitute it an independent school section.

(3) The agreement shall be approved by the ratepayers in each section, and of any village or union school section or provisional school section party thereto in the manner following, that is to say:—

Approval of ratepayers.

- (a) In the case of a school section or provisional school section or a union school section which does not include an incorporated village or any part of an incorporated village, by a resolution of the ratepayers at a special meeting duly called for that purpose;

- (b) In the case of a village, by a vote of the ratepayers who are public school supporters in the village, upon a question to be submitted in the manner provided by *The Municipal Act*;

- (c) In the case of a union school section comprising a part or the whole of an incorporated village and a portion of a township—

- (i) By a resolution of the ratepayers of each school section or portion of a school section included in a union school section lying in the township, to be passed at a meeting of the ratepayers of the section or portion of the section specially called for that purpose, in the manner provided by this Act with respect to public school meetings in rural school sections; and

- (ii) By a vote of the ratepayers in the village or part of a village included in the union school section, to be taken in the manner provided by clause *b*.

(4) The agreement shall provide for the apportionment and distribution of the assets and liabilities of the respective boards to be consolidated, and may provide for the levying of a special rate for a term of years in any part of the consolidated school section, in order to give effect to such apportionment and distribution, or the agreement may provide for

Apportionment and distribution of assets and liabilities.

such apportionment and distribution and for the fixing of any such special rate by a board of arbitrators, to be composed of the inspector, the judge of the county or district court of the county or district, and one person to be named by the council of the local municipality or by the councils of each of the local municipalities in which the consolidated school section or any part thereof is situated, and in case the number of arbitrators so chosen is an even number, an additional arbitrator may be appointed by the Minister.

Where
territory
included
lies in
two or more
townships.

(5) Where a consolidated school section includes territory lying in two or more townships—

- (a) the agreement for forming the consolidated school section shall determine what proportion of the cost of establishing and maintaining the school shall be borne by each township, or shall provide that such proportion shall be determined by the award of the arbitrators mentioned in subsection 4; and the same shall be annually raised, levied and collected upon the property liable to taxation for public school purposes in that portion of the consolidated school section lying within the boundaries of the township; and
- (b) the proportions of the sums to be raised under section 93 for consolidated schools by the corporation of each of the townships interested shall be determined by agreement between the corporations of the townships, or in default of such agreement, by the board of arbitrators provided for in subsection 4.

(6) Where a consolidated school section includes a village or a portion of a village, the agreement shall determine—

Where
village or
portion of
village
included.

- (a) what proportion of the cost of establishing and maintaining the school shall be borne by the village and by the township or townships, and that the same shall be annually raised, levied and collected by the village and by the township or each of the townships respectively, upon the property liable to taxation for public school purposes in that portion of the consolidated school section lying within the boundaries of the municipality;
- (b) the proportion of the sums raised under section 93, which shall be borne by the corporation of the township or of each of the townships interested.

Or the agreement shall provide that the matters referred to in clauses *a* and *b* shall be determined by the award of the arbitrators mentioned in subsection 4.

(7) Where a consolidated school section includes a village or a portion of a village or a police village or a portion of a police village, the agreement may provide for the election of a member or members of the board of trustees of the consolidated school section by the ratepayers of the village or police village or that portion of the village or of the police village lying within the consolidated school section and for the election of the remaining trustees by the ratepayers of that portion of the consolidated school section lying within the township or townships and for the term of office of each of the trustees first elected and their retirement and the election of their successors as far as possible in conformity with the provisions of subsections 10 and 11. 1919, c. 75, s. 2, part. Election of trustees where village included.

(8) The agreement for consolidation shall not come into force or take effect until it has been submitted to and approved by the Minister. 1919, c. 75, s. 2, part; 1920, c. 99, s. 11. Approval of Minister

(9) After the approval of the agreement by the Minister, it shall not be open to question upon the ground that the procedure prescribed by this section has not been followed or that there has been any irregularity or informality in such procedure, or upon any other ground whatsoever. Agreement to be valid after approval.

(10) Upon the approval of the agreement in writing by the Minister the agreement shall take effect forthwith, and thereupon the territory included in the agreement shall form a consolidated school section and the first election of a board of trustees for the consolidated school section shall be held on a date to be fixed by the Minister. When to take effect.

(11) Subject to the terms of any agreement entered into under the provisions of subsection 7, there shall be elected for the section a board of trustees to be composed of five members, one of whom shall be elected to hold office from the date of the first election until the date of the second annual municipal election held after the first election of trustees—two of whom shall be elected to hold office until the date of the third annual municipal election after the first election of trustees—and two of whom shall be elected to hold office until the date of the fourth annual municipal election after the first election of trustees—and thereafter at every annual municipal election a trustee or trustees shall be elected in place of the retiring member or members of the board and shall hold office for a term of three years and until his or their successor or successors are elected. Election of board.

(12) The election of trustees shall be by ballot and shall be held as nearly as may be in the same manner as the election of members of a municipal council, and the secretary and secretary-treasurer of the board, or, in the case of the first election, a person appointed by the inspector shall be the Procedure at election.

returning officer for such election and all the provisions of this Act applicable to the election of school trustees by ballot shall apply as nearly as may be to the election of trustees under this section.

Dissolution
of former
boards.

(13) Upon the election of a board of trustees of a consolidated school section, each of the boards in the territory consolidated shall be deemed to be dissolved and all the real and personal property vested in each of the said boards shall become vested in the board of trustees of the consolidated school section, and such board shall be a corporation by the name of "The Board of Trustees of Consolidated School" (inserting name of school) and shall possess all the powers, and perform all the duties and be subject to all the liabilities conferred and imposed by this Act on the trustees of public schools.

Corporate
name of
board.

Manage-
ment of
schools
pending
estab-
lish-
ment of
consolidated
school.

(14) Until a consolidated school is established, the board of trustees of the consolidated school section shall have the management and control of each of the schools in the territory consolidated, and shall have, and may exercise and perform with respect to every such school, the powers and duties theretofore vested in the board of public school trustees having the control and management of the school.

Disposing
of school
property
in sections
consolidated.

(15) The board of trustees of a consolidated school, with the approval of the Minister, may sell and dispose of the schoolhouses and other school property in the territory consolidated, and the proceeds thereof shall be applied in accordance with the terms of the agreement or award referred to in subsection 4.

Transporta-
tion of
pupils.

(16) Subject to the Regulations, the board of trustees of a consolidated school section may provide for the conveyance of pupils to and from school and for the cost thereof as part of the cost of maintenance of the school.

Name of
school.

(17) The board of trustees, with the approval of the Minister, may select a name for the school.

Approval
of plans, etc.

(18) The plans of any consolidated school building and the selection of a site therefor shall in every case be subject to the approval of the Minister.

To be
deemed
rural schools
for purposes
of county
and provin-
cial grants.

(19) For the purposes of the legislative grant for public and separate school purposes and of the county grant provided for in section 92 every consolidated school shall be deemed to be a rural school. 1919, c. 75, s. 2, part.

Regulations.

(20) Regulations may be made in the manner provided by *The Department of Education Act*, providing—

- (a) for the form of agreement for the establishment of a consolidated school and the manner in which, and the persons by whom the same shall be executed or authenticated;
- (b) for the procedure at any school meeting called for the approval of such agreement or on taking a vote of the ratepayers;
- (c) for plans and specifications of consolidated school buildings and outbuildings connected therewith;
- (d) for the number of teachers to be employed and the rooms and other accommodation and school supplies to be furnished in each school;
- (e) for equipment and appliances to be provided in the school;
- (f) for the apportionment and payment of any sums appropriated by the Legislature for consolidated school purposes, and the application thereof to the purchase of a site and the erection of school buildings thereon and the expenses of providing means of transportation for pupils to and from school;
- (g) for giving such directions as may appear to be necessary to carry out the provisions of this Act relating to the election of trustees and the holding of meetings, and for the guidance of returning officers, chairmen and other officers and persons charged with any duty respecting the same, and for modifying or altering any provision of this Act or of *The Public Schools Act* relating to such elections or meetings when the same appear to be inconvenient or impracticable, and for making due provision for circumstances which are not provided for or contemplated by this Act. 1919, c. 75, s. 2, part.
- (h) for permitting the board of trustees of a consolidated school and the trustees of any adjacent school section to enter into an agreement for incorporating such school section in the consolidated school section, and for prescribing the method in which the rights and liabilities of the respective boards shall be determined and the agreement consummated. 1920, c. 99, s. 13. Enlarging consolidated school area.
- (i) for determining all questions which may arise as to the rights, powers and duties of the board of trustees of a consolidated school section with respect to any matter as to which no express provision is made by this Act. 1922, c. 98, s. 16. Regulations as to consolidated schools.

Chairman
of board.

(21) The trustees of a consolidated school section at their first meeting and at the first meeting in each year thereafter for which an election has been held shall elect a chairman.

Election
of chairman.

(22) The secretary of the board, or in the case of the first meeting of the board a person appointed by the Inspector for that purpose, who shall be a ratepayer in the consolidated school section, shall preside at such election, and in case an equal number of votes shall be given for two or more candidates he shall give a casting vote. 1919, c. 75, s. 2 part.

Where union
school sec-
tion in two
or more
townships
included in
consolidated
school
section

(23) The councils of two or more townships, portions of which constitute a union school section, on the petition of five ratepayers resident in each of the municipalities concerned may, with the approval of the Minister, pass by-laws for dividing such union school section into two or more provisional school sections, and for the purpose of entering into an agreement under subsection 1, each part of the union school section so divided shall be deemed a school section, but such division shall not have effect or apply for any other school purpose until a consolidated school section has been established.

Where part
only of
union
section is
included.

(a) Upon the establishment of a consolidated school section including part of a union school section so divided the remaining portion of the school section may constitute a school section or a union school section as the case may be or may be annexed to any contiguous school section or union school section. 1922, c. 98, s. 17.

Question of
dissolution
to be sub-
mitted to
electors.

(24) If, within two years after the approval of the Minister in accordance with subsection 10, the ratepayers have not voted the money required by the trustees for the erection of the school, the question of dissolving the consolidation shall be submitted by the Board to a vote of the qualified electors in the same manner, as nearly as may be, as that provided for the election of trustees, and if a majority of the electors who vote on the question are in favour of dissolving the consolidation, the Minister may approve of the dissolution and the return of the sections to their former status. 1924, c. 82, s. 13.

Grants to
schools in
sections
having
extended
areas.

***16b.** Where the boundaries of a school section are extended so as to include territory in which children reside who are entitled to attend the school and whose place of residence is at a greater distance than three miles by the nearest highway from the school, the Minister may, subject to the regulations, make grants out of the appropriation for consolidated schools for the transportation of pupils and for the erection of school buildings, where, in the opinion of the Minister, such transportation and school buildings have become necessary by reason of such extension. 1919, c. 75, s. 3.

***16c.** Subject to the terms of the agreement for the establishment of a consolidated school, where a consolidated school area includes an urban municipality and a rural school section or rural school sections or parts thereof, application for the issue of debentures shall be made by the board of the consolidated school area to the council of such urban municipality, and subsections 5 and 6 of section 42 of *The Public Schools Act, 1920*, shall apply *mutatis mutandis*. Council of urban municipality to issue consolidated school debentures.

***16d.** Subject to the terms of the agreement for the establishment of a consolidated school, where a consolidated school area consists of school sections or parts of school sections situate in two or more districts, any debentures which may be issued upon the requisition of the board of the consolidated school area shall be issued by the council of the township in which the school is situate and the provisions of section 43 of *The Public Schools Act, 1920*, shall apply *mutatis mutandis*. Issue of debentures by township in which school is situate.

***16e.** Where a consolidated school section includes portions of two or more municipalities lying in the same county or in different counties, subject to the terms of the agreement for the establishment of a consolidated school, the money required to be raised for the purposes of the school shall be raised in the like manner, and the assessment upon which rates are levied for consolidated school purposes shall be equalized in the like manner as nearly as may be as in the case of a union school section similarly composed. 1922, c. 98, s. 18. Where consolidated school section includes parts of two or more municipalities.

***16f.** Where two or more schools have been established in a school section and the board of trustees of the section, by resolution, approved of by the ratepayers at a meeting specially called for that purpose, signify their desire to establish a centrally located school in place of the schools theretofore maintained in the section, the Minister may authorize the establishment of a school in a location approved of by him and in conformity with the regulations, and may direct that such school shall, for the purposes of sharing in any grant made under the authority of section 16 of *The Public Schools Act* as amended by this Act, and for the purposes of sharing in any county or township grant made under sections 92 and 93 of *The Public Schools Act*, be deemed to be a consolidated school. 1919, c. 75, s. 4. Consolidation of schools in one section.

***16g.**—(1) Where the council of a township has passed or hereafter passes a by-law under subsection 1 of section 15 of *The Public Schools Act*, to unite two or more school sections, and the school established or to be established in the section requires the employment of two or more teachers and it is necessary to provide means of transportation for the pupils of the school, the Minister, subject to the Regulations, and Union school section may become consolidated school section

upon the application of the board of trustees of the school section approved of by the ratepayers as provided in subsection 3 of section 16 of *The Public Schools Act* as amended by this Act, may declare the school section to be a consolidated school section, and thereafter the said section shall apply thereto as if the school section were a consolidated school section established by agreement under subsection 1 of the said section. 1919, c. 75, s. 5; 1921, c. 89, s. 28 (1).

Terms.

(2) Where the councils of two or more townships have passed or hereafter pass a by-law under section 20 of *The Public Schools Act* for the formation of a union school section the same terms and conditions, *mutatis mutandis*, shall apply as in the case of subsection 1 above. 1921, c. 89, s. 28 (2).

ADJUSTMENT OF CLAIMS BETWEEN SECTIONS.

Adjustment
of claims
between
members of
unions in
same
township.

17.—(1) On the formation, dissolution, division or alteration of any school section or sections in the same township, in case the boards of the sections interested are unable to agree, the inspector and two other persons appointed by the township council shall as arbitrators value, adjust and determine in an equitable manner all rights and claims consequent upon such formation, dissolution, division or alteration between the respective parts of the township affected, and the determination of the arbitrators or of any two of them shall be final and conclusive.

Where
more in-
spectors
than one.

(2) Where there are more inspectors than one the township council shall name the inspector who is to act. 1920, c. 100, s. 17.

SALE OF SCHOOL PROPERTY.

Disposal
of school
property
when not
required.

18.—(1) When a school site, school house or other school property is no longer required, in consequence of the alteration or the union of school sections, the same shall be disposed of in such manner as a majority of the ratepayers in the altered or united school sections may decide at a meeting duly called for that purpose.

Application
of proceeds
where rate-
payers
transferred
from one
section to
another.

(2) Where ratepayers are transferred from one school section to another the board of the section to which they are transferred shall be entitled for the public school purposes of the section to such a proportion of the proceeds of the sale as the assessed value of the property of the ratepayers so transferred bears to that of the whole number of ratepayers of the school section to which they belonged before the separation; and the residue of such proceeds shall be applied to the erection of a new school house or to other public school purposes in the old school section.

(3) In the case of united sections the proceeds shall be applied to the public school purposes of the united section. Application of proceeds in union sections.
1920, c. 100, s. 18.

VALIDITY OF SCHOOL ARRANGEMENTS AND PROCEEDINGS.

19.—(1) Whenever a school section or a union school section has existed in fact for three months and upwards, and whether the same has been formed in accordance with the provisions of the law or not, it shall be conclusively deemed to have been legally formed and shall continue to exist, subject, however, to the provisions of this Act as far as applicable, as if such section had been formed thereunder, unless in the meantime proceedings have been taken calling in question the legal status of such section and notice thereof has been given to the persons who according to the practice of the court in which the proceedings are taken ought to be served with notice thereof, and such proceedings shall result in its being determined that such section has not been legally formed. School sections and union sections confirmed.
1920, c. 100, s. 19 (1).

(a) Provided that where the boundaries of one or more school sections have been altered by the award of a board of arbitrators under the provisions of this Act and such award has not been acted upon for a period of two years, the Minister may cancel such award and may direct the appointment of new arbitrators or may himself appoint arbitrators for the reconsideration of the matter and where the arbitrators are appointed by the Minister their award shall not be subject to any appeal. When award may be cancelled.

(b) Where an award is cancelled by the Minister as provided in clause *a* such cancellation shall be deemed to have had effect from the time of the making of the award. When cancellation to take effect.
1922, c. 98, s. 6.

(2) No proceeding in or in relation to the formation, alteration or dissolution of a rural school section or of a union school section, and no arbitration or award in reference thereto or as to any matter which by the provisions of this Act are to be or may be determined by arbitration shall be deemed to be invalid or shall be set aside because of the failure to comply with the provisions of this Act applicable to such proceeding, arbitration or award unless in the opinion of the tribunal before which such proceeding, arbitration or award is called in question the same, if allowed to stand, will cause substantial injustice to be done to the persons affected thereby or some of them. No proceeding invalidated unless where substantial injustice.

(3) Should any question arise touching the validity of the proceedings in or in relation to the formation, alteration or dissolution of a rural school section or of a union school section Jurisdiction of county or district judge.

tion, or touching the selection, adoption or change of a school site, or touching any by-law of the council of any municipal corporation in any way relating to such matters or any or either of them, or touching any arbitration or award heretofore or hereafter had or made under the provisions or authority of this Act, the same shall not be raised or determined by action or proceeding in the Supreme Court, but shall be raised, heard and determined upon a summary application to the judge of the county or district court of the county or district in which such school section or some part thereof is situate, and the decision of such judge shall be final and conclusive unless special leave to appeal therefrom shall be given by the Supreme Court or a judge thereof, and if such leave be given an appeal shall lie to the Supreme Court upon questions of law only, upon and subject to such terms and conditions as the court or judge giving the leave shall prescribe.

Appeals
where judge
is arbitrator.

(4) Where the question touches an arbitration or award to which the judge has been a party, the application shall be heard and determined by the judge of the county or district court of the adjoining county or district which has the largest population according to the last Dominion census. 1920, c. 100, s. 19 (2-4).

UNION SCHOOL SECTIONS.

What unions
may be
formed.

20.—(1) A union school section may be formed between parts of two or more adjoining townships, or a union may be formed between parts of one or more townships and an adjoining urban municipality not being a city or a separated town, and in such case the union shall be considered an urban municipality. 1920, c. 100, s. 19 (1).

How union
school sec-
tion to be
formed.

(1a) A union school section may be formed consisting of a part of a township or parts of two or more townships and an adjoining city or separated town where the suburban school section or sections concerned, by a majority vote at a meeting of the ratepayers in such section or in each of such sections regularly called, approves of such annexation, and such union is also approved by the urban board and the union shall take effect on the 25th day of December next after the union has been confirmed by by-laws passed by the councils of the township and the city or separated town respectively at the request of the boards of the suburban school section or sections and of the city or separated town.

Assessment
in such cases.

(1b) Where a union school section is established under subsection 1a the assessment for school purposes of all property liable to taxation in the rural portion of the union school section, shall be fixed from year to year by a board of three arbitrators, one of whom shall be appointed by each of the townships interested, one by the council of the city or town and one by the Minister.

(1c) For the purpose of subsection 1b the assessor of the township in which the rural portion of the union school section is situate shall deliver a copy of the assessor's roll or so much of it as may be necessary, to the board of arbitrators who shall within two weeks thereafter return the same to the assessor with the assessment required for school purposes.

Assessment
Roll.

(1d) The board of arbitrators shall, after they have completed the revision and before the 1st day of June, meet and determine what proportion of the annual requisition made by the board for school purposes shall be levied upon and collected from the taxable property of the public school supporters in the rural portion of the union section.

(1e) The council of the township in which the rural portion of the union school section lies shall levy in each year on all the property liable for assessment for school purposes in the rural portion of the union school section according to the assessment fixed as provided in subsection 1b, a rate equal to the rate imposed by the corporation of the city or town for public school purposes. 1922, c. 98, s. 7.

(2) Except where the section is an urban municipality, the board shall be a corporation under the name of "The Board of Public School Trustees of Union School Section numbers in the"

Corporate
name.

(3) A union school section may be formed, altered or dissolved on the petition of five ratepayers from each of the municipalities concerned to their respective councils asking for the formation, alteration or dissolution of the section.

Procedure
for forma-
tion, altera-
tion or
dissolution
of union.

(4) Each of the councils so petitioned may appoint an arbitrator who shall not be a member of the council, and notice of the appointment shall be sent by the respective clerks to the inspector or inspectors of the district or districts concerned who shall also be arbitrators.

Appoint-
ment of
arbitrators.

(5) A council may act upon a petition addressed to the councils concerned or to any two or more of them jointly if such petition is signed by five ratepayers of the municipality acting thereon.

Petition of
council.

(6) Where there would otherwise be an even number of arbitrators the judge of the county or district court, or some person named by him, shall be added, and where the arbitration affects two or more counties or districts the judge of the county or district court of the county or district which has the largest population according to the last Dominion census, or some person named by him, shall be added.

Where even
number of
arbitrators
appointed
county judge
to act.

(7) The arbitrators, or a majority of them, may make and publish the award.

Majority
award.

First meeting of arbitrators.

(8) The first meeting of the arbitrators shall be called by the senior inspector who shall give ten days' notice in writing of such meeting to the clerks of the municipalities concerned who shall forthwith notify the arbitrators appointed by their respective councils.

Award, what to contain.

(9) Where the arbitrators determine upon the formation of a new union section, or upon the alteration of the boundaries of an existing union section, they shall in their award set forth the specific parcels of land to be included in such new union section or in such altered section as the case may be.

Award to set out land transferred.

(10) In the event of the transfer of any land from an existing union section to some other section the arbitrators shall in their award set forth to what other section such transfer shall be made.

In case of dissolution.

(11) Where the arbitrators determine upon the dissolution of an existing union section, they shall set forth in their award the section or sections to which the land composing such union section shall be attached.

Reorganizing union section.

(12) Where the arbitrators are of opinion that it would be in the interests of the parties concerned, and that it is practicable so to do, they may form part of the territory of a section into a new section, or form a new union section, and they shall indicate the land of which such section or union section shall be composed, and the remainder of the union section shall be disposed of as herein provided.

Fixing proportion of liabilities.

(13) Where a new union section is formed or an existing union section is altered the arbitrators shall determine and fix the proportion which the part in each municipality shall be liable to contribute towards the erection of the school house and the maintenance of the school and other necessary expenses.

Adjustment of claims.

(14) The arbitrators shall value and adjust, in an equitable manner, all rights and claims consequent upon the formation, alteration or dissolution of a union section between the respective municipalities, school sections and ratepayers concerned, and shall also determine in what manner and by what municipality or municipalities or by what parts thereof the same shall be paid and the money to be paid by one part of the municipalities or school sections concerned to the union section so formed or altered, and the disposition of the property of the union section, and any payment by one part to the other and the right of any ratepayer affected by the award.

Calling first meeting to elect trustees.

(15) Where a new union section is formed the inspector authorized under subsection 8 to call the first meeting of the

arbitrators shall call the first meeting of electors for the election of trustees, and shall proceed as the clerk of the municipality is directed to proceed in the case of the formation of a new section under this Act.

(16) Such union, alteration or dissolution, except as herein otherwise provided, shall not take effect until the 25th day of December after the award or a certified copy thereof is filed with the clerks of the municipalities concerned, but the trustees may at any time after their election raise money for and may acquire a school site, erect school buildings and provide school equipment. 1920, c. 100, s. 20 (2-16). Not to take effect till the 25th of December except for certain purposes.

(17) Subject to the provisions of subsections 6, 7 and 8 of section 15 and subsection 22 of this section a union school section shall not be altered or dissolved for a period of five years after the award has gone into operation, whether the award does or does not change the boundaries of existing sections, but nothing herein shall prevent a municipal council from enlarging the boundaries of a union section as may be deemed expedient; and two-thirds of the ratepayers of a union section may, at the expiration of three years from the date of its formation, petition the municipal council or councils concerned for a reconsideration of the award for the formation of the section, and the proceedings shall be the same as in the case of a petition under subsection 3. 1920, c. 100, s. 20 (17). Reconsideration of union school section award.

(a) Where the arbitrators appointed by the councils of the municipalities interested have failed to establish a union school section in accordance with the petition, or where the arbitrators appointed by the council of a county have set aside an award made by the arbitrators appointed by the councils of the local municipalities, the council of each of the local municipalities on the petition of at least five ratepayers resident in the municipality asking for reconsideration of the award after the expiration of two years from the date of the award may appoint arbitrators and take all other necessary proceedings as provided by this section for the establishment of such union school section. 1922, c. 98, s. 8. Failure to act on award changing school boundaries—cancellation of award.

(18) Where an award, whether for or against the formation of a new union school section, has not been acted upon the proceedings mentioned in subsection 1 may be taken at any time after the expiration of three years after the award was made. New arbitration after three years.

(19) Where an award, whether for or against the formation of a new union school section, has been adjudged illegal or void the proceedings mentioned in subsections 1 and 3 may New arbitration when award set aside.

be taken at any time after the expiration of the time for appealing against the judgment or decision or after the disposition of any appeal therefrom. 1920, c. 100, s. 20 (18, 19).

Union
school
sections in
districts.

(20) In a provisional judicial district:

(a) A union school section may include any of the following, namely—an organized township or any part thereof, or two or more organized townships or parts thereof; an unorganized township or any part thereof, or two or more unorganized townships or parts thereof, unsurveyed territory, and a town or village, and the union school section may be altered or dissolved, and in such case the petition of the ratepayers for the part of the union school section not included in an urban municipality or organized township shall be presented to the inspector. 1920, c. 100, s. 20 (20) cl. (a).

School
arbitrators in
districts.

(b) The arbitrators shall be—one person appointed by each of the councils of the organized municipalities concerned, the inspector of the district and the judge of the county or district court or some person named by him, and they shall have all the powers of the board of arbitrators mentioned in the preceding subsections of this section, all of which, so far as applicable, shall apply to the subject matter of this subsection. 1924, c. 82, s. 4.

Alterations
of bound-
aries not
to affect
power to
form unions.

(21) The powers conferred by this section may be exercised notwithstanding that the period fixed by subsection 2 of section 15 or by subsection 1 of section 28 has not expired.

Alteration
or dissolu-
tion when
assessment
materially
altered.

(22) Where within the period of five years mentioned in subsection 17 the assessment of the union school section is materially altered by reason of any land therein becoming exempt from taxation for public school purposes, such union school section notwithstanding the provisions of that subsection may be altered or dissolved. 1920, c. 100, s. 20 (21, 22).

Appeal re-
lating to
union school
within a
county.

21.—(1) Where the territory which it is proposed to form into a union section, or where the union section which it is proposed to alter or dissolve lies wholly within a county, the board or any five ratepayers in the territory or union section concerned, or the inspector or inspectors, may within one month after the making thereof appeal in writing to the county council from any award made by the arbitrators either for or against the formation, alteration or dissolution of such section or against the neglect or refusal of the township council or councils concerned to appoint arbitrators as provided in section 20. 1920, c. 100, s. 21 (1); 1924, c. 82, s. 5.

(2) On receipt of such appeal the county councils shall have power to appoint not more than three arbitrators who shall neither be ratepayers in the territory or school section concerned, nor members of the municipal councils concerned, and such arbitrators shall have all the powers of arbitrators appointed under section 20 and the decision of a majority of them shall be final and conclusive.

Appoint-
ment of
arbitrators
by county
council.

(3) The first meeting of such arbitrators shall be called by the county clerk. 1920, c. 100, s. 21 (2, 3).

Calling
first meet-
ing of
arbitrators.

22.—(1) Where territory which it is proposed to form into a union school section or where the union school section which it is proposed to alter or dissolve comprises an organized or unorganized township or any part thereof, and an urban municipality, or lies in more than one county, or in a district, the board, or any five ratepayers in the union school section or territory concerned, or any inspector or inspectors may at any time appeal to the Minister from any award made by arbitrators for or against the formation, alteration or dissolution of such section or against the refusal or neglect of the council or councils concerned to appoint arbitrators as provided in section 20. 1924, c. 82, s. 6.

Appeals to
Minister
from school
arbitrators
in case of
union school
section.

(2) The Minister may in his discretion alter, determine or confirm such award, or where no award has been made he may appoint not more than three arbitrators who shall have all the powers of arbitrators appointed under section 20, and a decision of a majority of them shall be final and conclusive. 1920, c. 100, s. 22 (2); 1924, c. 82, s. 7.

Powers of
Minister.

(3) The first meeting of the arbitrators shall be called by the Minister. 1920, c. 100, s. 22 (3).

First meet-
ing of
arbitrators.

23. The collectors of each municipality in which a part of a union section is situate shall collect the school rates for that part; and the amount collected from the ratepayers in each part of the union section shall be paid by the respective collectors to the treasurer of the municipality in which such part of the union section is situate, and the treasurer shall pay over the same without any charge or deduction to the board entitled thereto. 1920, c. 100, s. 23.

Collection
of rates in
union school
sections.

24. Where a township is divided for municipal purposes all school sections which, in consequence of such division, are situate partly in each of the newly formed municipalities shall be deemed union sections until otherwise altered under the provisions of this Act. 1920, c. 100, s. 24.

Union
sections as
a conse-
quence of a
division of
township.

25. Every union school section shall, for the purpose of the election of trustees, be deemed one section, and in respect to inspection shall be deemed to be within the municipality in which the school house is situate, or if there are two or more

Election of
trustees,
and in-
spection of
union school
sections.

school houses then in that municipality within which a school house is situate which has the largest amount of property assessed for public school purposes. 1920, c. 100, s. 25.

Where township ratepayers to vote when urban municipality divided into wards.

26.—(1) Where a union school section includes an urban municipality divided into wards and part of an adjoining township the board shall by resolution determine in which ward or wards the electors of the township shall vote for the election of school trustees and on other school questions, and in the absence of any such resolution then such part of the township shall be considered for all election purposes as attached to the adjacent ward, and if two or more wards are adjacent any such elector may vote in either of such wards.

List of voters.

(2) The clerk of the township shall furnish to the clerk of the urban municipality a certified copy of so much of the last revised voters' list of the township as contains the names of electors qualified to vote in that portion of the union school section lying within the township. 1920, c. 100, s. 26.

Where part of a township is annexed to urban municipality

27.—(1) Where part of a township becomes incorporated as or is annexed to and becomes part of an urban municipality such part shall for all school purposes be deemed to be part of the urban municipality, provided that when the part incorporated or annexed comprises or includes part only of a school section the municipalities interested, unless determined by agreement after the incorporation or annexation, shall each appoint an arbitrator who, with the judge of the county or district court, shall value and adjust in an equitable manner the rights and claims of all parties thereby affected, and shall determine by which municipality or part thereof the same shall be paid or settled.

Arbitration to determine rights.

Effect of award.

(2) The award shall be final and conclusive, and any money found due, either by agreement or under the award, shall be deemed public school money and shall be payable out of the property taxable for public school purposes in that part of the school section situate within the indebted municipality.

Issue of debentures.

(3) The provisions of section 43 shall not apply to the money required to be paid under the award or agreement and debentures may be issued to be payable out of the property so taxable without calling a special meeting of the electors and upon the terms and conditions set forth in a by-law of the council of the municipality.

Status of the part of a school section which is not annexed.

(4) Subject to the provisions of this Act as to the alteration of school boundaries and the formation of union school sections, where a part of a township so incorporated or annexed includes part only of a school section the part remain-

ing shall constitute a school section by the same name as before the incorporation or annexation, and the school corporation shall continue, and the trustees who are in office at the time of such incorporation or annexation shall continue in office until their successors are elected and shall be the board of public school trustees for the part of the section not so included in the urban municipality. The trustees may resume office or be elected for the section in case the board has been disbanded, and action may be taken by the township council at any time, as provided by this Act, to readjust the boundaries of the portion of the section that is not included in the urban municipality.

(5) Where urban municipalities become united all the assets and liabilities of the board of each municipality shall be vested in and assumed by the board of the united municipality. 1920, c. 100, s. 27.

Disposition of assets and liabilities upon union of municipalities.

MAINTENANCE OF UNION SCHOOLS.

28.—(1) As often as the assessment of the part of a union section situate in one municipality has increased or decreased to the extent of ten per cent. of the amount of its assessment at the date of the last equalization of assessments and has maintained such increased or decreased assessment for the second consecutive year, and, in any case, at the expiration of five years from the last equalization of assessments, the assessors of the municipalities in which a union section is situate shall, after they have completed their respective assessments and before the first day of June, meet and determine what proportion of the annual requisition made by the board for school purposes shall be levied upon and collected from the taxable property of the public school supporters of the union section situate in each of the municipalities in which such section lies.

Assessors to determine proportion.

(2) Where the assessment of a union school section is materially altered by reason of any land therein becoming exempt from taxation for school purposes the assessors shall, at their next meeting, revise the equalization.

Where assessment materially altered by exemptions.

(3) The meeting of the assessors shall be called by the assessor of the municipality in which the school house is situate.

Calling meeting of assessors.

(4) Where there are more assessors than one the head of the municipal corporation shall name the assessor who shall act.

By whom.

(5) Notice of the determination shall be given forthwith to the secretary of the board and to the clerk of each municipality.

Notice of determination.

Arbitration
where
assessors
disagree.

(6) Where the assessors disagree, the inspector in whose inspectorate the school of the union section is situate, and the assessors shall be arbitrators to determine the matter and report to the secretary of the board and to the clerk of each municipality, on or before the first day of July.

When school
section lies
in two
counties.

(7) Where the union school section is composed of parts of two adjoining counties, then on the disagreement of the assessors the inspector of the county in which the school house of the section is situate shall act with the assessors.

Duration of
decision of
assessors.

(8) The decision of a majority of the arbitrators shall be final and conclusive until the next equalization of assessments takes effect.

Recon-
sideration
of award.

(9) The assessors or, in the case of an arbitration, the arbitrators on the request in writing of the inspector or of five ratepayers may within one month after the report of the determination or award to the secretary of the board correct any omission or error in the terms in which the determination or award is expressed.

Cost of
assessors
and
arbitrators.

(10) The cost of proceedings under this section, including the fees of assessors and arbitrators, shall be paid by the municipalities in the same proportion as the equalized assessments bear to each other. 1920, c. 100, s. 28.

CONFIRMATION OF BY-LAWS AND AWARDS.

Certain
by-laws
and
awards to
be valid
unless
notice to
quash given.

29.—(1) A by-law of a municipal council for forming, altering or dissolving a school section, and an award made by arbitrators appointed to consider an appeal from a township council with respect to any matter authorized by this Act shall be valid and binding, notwithstanding any defect in substance or form, or in the manner or time of passing or making the same unless notice of an application to quash such by-law or to set aside such award is given to the township clerk within one month after the publication of such by-law or award, and the same is subsequently quashed or set aside.

What
deemed
publication
of by-law.

(2) Such by-law or award shall be deemed to be published when a copy thereof is served upon the secretary of each board of trustees affected thereby. 1920, c. 100, s. 29.

ESTABLISHMENT OF SECOND SCHOOLS IN SECTIONS WHERE ROADS IMPASSABLE.

Establish-
ment of
second
school.

30.—(1) Where it appears to the Minister that owing to the condition of the roads or other causes the public school in any school section in any township is inaccessible, during certain months of the year, to any of the pupils entitled to attend such school, the Minister may require the council to

form a new school section or the board to provide a second school in their section, or to provide transportation to and from the school for such pupils.

(2) The Minister may provide that the second school be opened during such months of the year as he may deem necessary and may prescribe the area from which pupils shall have the right to attend such second school. Determining months in which second school to be open.

(3) Any grant in either case from the assisted school fund shall be supplemented by equal amounts from the townships and county councils. Grant.

(4) The provisions of subsection 1 of section 7 shall not apply to a school established under this section, but nothing herein shall relieve the pupils attending such second school from attendance at the public school of the school section during those periods of the school year in which the second school is closed, nor relieve the board of such school section from the duty of providing school accommodation for such pupils during such periods. 1920, c. 100, s. 30. Attendance at school when second school closed.

SECTIONS IN UNORGANIZED TOWNSHIPS.

31.—(1) The inspector may form an unorganized township or part of an unorganized township or parts of two or more adjoining unorganized townships into a school section. Formation of school sections.

(2) The section shall not, in length or breadth, exceed five miles, and subject to this restriction, the boundaries may be altered by the inspector from time to time. Limits of section.

(3) The inspector on the petition of any head of a family who has a child attending school and who lives in one school section on land contiguous to another school section may alter the boundaries of such sections so as to transfer such land from one section to the other, but such transfer shall not relieve the land from any taxation required to meet a liability incurred prior to the transfer, nor shall it be made unless in the opinion of the inspector it is more convenient for the child to attend the school in the section to which the transfer is requested. 1920, c. 100, s. 31 (1-3). Inspector may transfer land to contiguous school section.

(4) A person whose place of residence is distant more than three miles by the nearest public highway from the school of the section shall be exempt from all rates for school purposes unless a child of such person attends such school; but this exemption shall not apply to lands liable to taxation for school purposes owned by such person within such distance, nor to the lands of non-residents, nor to the lands of residents in the section who have no children of school age, nor in any case to the lands of residents in a consolidated school section. 1920, c. 100, s. 31 (4); 1924, c. 82, s. 8. Exemption from rate on account of distance.

Election of
school
trustees.

(5) After the formation of a section any two ratepayers in the section may, by notice posted for at least six clear days in not less than three of the most public places in the section, appoint a time and place for a meeting for the election of three school trustees for the section.

Trustees'
powers
and obliga-
tions.

(6) The trustees elected at such meeting or at any subsequent school meeting of the section shall have the powers and be subject to all the obligations of public school trustees, and may at any time after their election take the proper steps, in accordance with the provisions of this Act, to raise funds for and purchase a school site and erect school buildings and provide equipment for the school, but in other respects any alteration of the boundaries of a section shall go into operation on the 25th day of December next after such alteration and not before. 1920, c. 100, s. 31 (5, 6).

Sections to
be divided
into groups.

32.—(1) The inspector shall divide the school sections into groups of three or as near thereto as practicable, and shall notify the secretary of each section of the group to which it belongs, and the grouping may be changed from year to year as the inspector may direct.

Court of
revision.

(2) The treasurers of the boards in a group shall constitute a court for the revision of the school assessment rolls of the sections in the group, and for the hearing and determination of any appeals against the same, and the members of such court shall be paid reasonable travelling expenses by their respective boards for their attendance,

When in-
spector to
act as
court of
revision.

(3) Where from the sparseness of settlements it would be inconvenient for a court of revision to meet for the revision of the assessment roll of any section, the inspector on the request of any board may assume the functions of a court of revision for the section on behalf of which the request is made, and all the proceedings of the inspector in the matter shall be subject to the provisions of this Act and shall have the same effect as if made in a court of revision constituted under subsection 2. 1920, c. 100, s. 32.

Annual as-
sessment
roll.

33.—(1) The board shall, annually, at their first meeting, and not later than the first day of March in each year, appoint an assessor, who may be one of themselves, to prepare an assessment roll for the section, and the secretary shall submit a certified copy of the same to the proper court for revision. 1920, c. 100, s. 33 (1).

Appoint-
ment of
assessor for
new section.

(a) Where a new school section is formed after the 1st day of March in any year, the appointment of an assessor shall be made as soon after its formation as possible. 1925, c. 78, s. 4.

(2) The assessor shall notify every person assessed by leaving a notice containing the particulars of his assessment at his place of residence, or, if a non-resident, by mailing the same by registered post to his last known address, or, if his address is unknown, by posting up the same in the post office nearest to the land assessed. Notice of assessment.

(3) The assessor shall be subject to the provisions of *The Assessment Act* with regard to the equitable rating of all taxable property in the section, and shall, before returning his assessment roll to the secretary of the board, attach thereto a certificate signed by him and verified upon oath according to the form prescribed in *The Assessment Act*. Assessor to make oath. Rev. Stat., c. 195.

(4) The assessor shall return the assessment roll to the secretary not later than the first day of June of the year in which the assessment is made. Return of roll.

(5) A copy of the roll so certified shall be open to inspection by all persons interested at some convenient place in the section, notice whereof signed by the secretary shall be posted up by him in at least three of the most public places in the section, and shall state the place and the time at which the court will hear appeals against the assessment. Appeal against assessment.

(6) The notice shall be posted up for at least three weeks before the time appointed for hearing the appeals, and shall be mailed by registered post to the last known addresses of non-resident ratepayers. Posting up notice.

(7) Subject to the provisions of clauses *a* and *b*, all appeals and the proceedings thereon shall be the same as nearly as may be as in the case of appeals to a court of revision, from municipal assessments, and the court of revision shall have the same powers as municipal courts of revision. Manner of appeal.

(a) The notice of appeal shall be given to the treasurer of the board within one month after the delivery, mailing and posting up of the notice provided for by subsection 2.

(b) The court may appoint a competent person to be its clerk for each section or one for all the sections.

(8) The assessor, when making his assessment, shall enter in a book to be provided by the board the name, age and residence of every child between the ages of 5 and 21 years resident in the section and the name and residence of such child's parents or guardian, and shall, with the assessment roll, return the book to the secretary, and the secretary shall include a copy of the particulars entered in the book in his annual report to the inspector. School census.

Confirmed
roll
binding.

(9) The roll, as finally passed and signed by the chairman of the court of revision, shall be binding upon the trustees and ratepayers of the section until the roll for the succeeding year is passed and signed as aforesaid. 1920, c. 100, s. 33 (2-9).

Assessment
of portion
of unorgan-
ized town-
ship form-
ing with
organized
municipi-
ality, a
union school
section.

34.—(1) Any part of an unorganized township which forms part of a union section, the remainder of which is an organized municipality or part of an organized municipality, shall for public school purposes be deemed to be annexed to such organized municipality, and the officers thereof shall make all assessments and collect all taxes and do all such other acts and perform all such duties and be subject to the same liabilities with respect to the part of the unorganized township forming part of such union section as with respect to any part thereof which lies within the organized municipality.

Where
joined
with a
town in a
judicial
district.

(2) Where a union section is composed of a town in a provisional judicial district and of a portion of any other organized municipality and any part of an unorganized township the part of the unorganized township included in the school section shall, for public school purposes, be deemed to be annexed to the town and form part thereof, and the officers of the town shall make any assessments and collect all taxes and do all such other acts and perform such duties and be subject to the same liabilities with respect to the part of the unorganized township forming part of such union section as with respect to the town. 1920, c. 100, s. 34.

Issuing
debentures
for school
sites and
houses.

1922, c. 72.

35.—(1) In unorganized townships the board of a section may issue debentures for the purchase of a school site and the erection of a school house, for such amounts and for such term of years, not exceeding thirty, as the board sees fit, or the board may direct that the principal and interest shall be repayable by annual or other instalments in the manner provided by *The Municipal Act*, provided that the issue of the debentures has been sanctioned at a special meeting of the ratepayers of the section.

Signing
and sealing
debentures.

(2) The debentures shall be signed by the trustees and shall be sealed with the corporate seal of the board, and shall be a charge upon the taxable property of the public school supporters of the section. 1920, c. 100, s. 35.

Appoint-
ment and
duties of
school
collector.

36.—(1) The board may appoint some competent person who may be a member thereof to collect the rates imposed by them upon the ratepayers of their section, or the sums which the inhabitants or others may have subscribed, and may pay to such collector at the rate of not less than five nor more than ten per centum on the moneys collected by him; and every collector shall give security satisfactory to the board and the security shall be lodged for safe keeping with the inspector.

(2) Every collector shall have the same powers in collecting the school rate or subscriptions, and shall be under the same liabilities and obligations and proceed in the same manner in the section or township, as a township collector in collecting rates in his township as provided by *The Assessment Act*. Powers and liabilities of school collector. Rev. Stat., c. 195.

(3) The collector shall, on or before the first day of June in the year following the year in which a school rate becomes due and payable, make a return to the sheriff of the county or district showing each lot or parcel assessed upon which the school rates have not been fully paid, the name of the person assessed as owner or occupant and the amount of school rates chargeable against the lot or parcel and in arrear at the date of such return with the year for which the rates so in arrear were imposed. Return of arrears of taxes in unorganized territory.

(4) The sheriff shall enter in a book to be kept by him for that purpose the particulars furnished by the collector. Entry in sheriff's book.

(5) The collector shall not receive any payment on account of school rates so in arrear after the expiration of two years from the date when the same became due, but in the case of payments made before the expiration of such period the collector shall forthwith notify the sheriff thereof and the sheriff shall enter such payment against the proper lot or parcel in the book kept by him. Payments of arrears thereafter.

(6) After the expiration of such period all such arrears shall be payable to the sheriff who shall enter all payments in the book kept by him and shall return the amount paid to the treasurer of the board. When arrears to be paid to sheriff.

(7) When it appears from the entries in the book kept by the sheriff that any school rate is in arrear for three years from the 31st day of December in the year in which the same became payable the sheriff shall proceed to collect the same by the sale of the lands assessed, and the procedure in relation to such sale and the provisions applicable to the redemption of lands thereafter and to deeds to be given by the sheriff to tax purchasers shall be the same as nearly as may be as in the case of the sale of lands for arrears of taxes in organized municipalities. 1920, c. 100, s. 36. Sale of land for arrears.

SCHOOLS IN UNSURVEYED DISTRICTS.

37.—(1) In any part of Ontario not surveyed into townships five of the inhabitants thereof who are twenty-one years of age may call a public meeting of such inhabitants, by giving such notice of the meeting as the public school inspector shall direct. Schools in unsurveyed districts.

Election of trustees.

(2) The meeting may elect three of the inhabitants to serve as public school trustees, and the trustees so elected shall have all the powers of trustees in unorganized townships, and shall in all other respects be subject to the provisions of this Act.

Notice to the Minister of Education.

(3) On receipt of a report from the inspector that a public school has been established and suitable accommodation and equipment provided for public school purposes the Minister may pay over to the board, out of the appropriation made by this Legislature for public schools, such sum of money for the maintenance of such school as may be approved by the Lieutenant-Governor in Council. 1920, c. 100, s. 37.

Collection of rates in unorganized townships by action.

37a. In addition to any other remedy possessed by public school trustees in unorganized townships or in unsurveyed territory, for the recovery of rates imposed under the authority of this Act, the trustees, with the approval of the inspector in writing signed by him, may bring an action in any court of competent jurisdiction for the recovery of any rates in arrear against the person assessed therefor. 1921, c. 89, s. 6.

EXEMPTIONS.

Exemption by-laws not to include school taxes.

38. No by-law of a municipal council passed after the 14th day of April, 1892, or hereafter passed, for exempting any part of the rateable property in the municipality from taxation in whole or in part shall be held or construed to exempt such property from school rates of any kind. 1920, c. 100, s. 38.

RETURN OF ANNUAL CENSUS.

Clerk to make returns of population.

39.—(1) The clerk of every county shall make a return to the Minister showing the population of each local municipality within the county, and the clerk of every city and of every separated town shall make a return showing the population of such city or town, as shown by their respective assessment rolls for the previous years, such returns to be made on or before the first day of April in each year.

Clerk to furnish inspector with school statistics.

(2) The clerk of every county shall furnish the inspector forthwith on demand with such school statistics in regard to assessments as the Minister may direct. 1920, c. 100, s. 39.

Clerk to give copy of assessment to inspector.

40.—(1) The clerk of every township shall give to the inspector when requested by him, a statement of the assessed value of each school section as shown by the last revised assessment roll, and at the request of any board shall furnish them with a statement showing the several parcels or lots of land composing the school section, the assessment of each

parcel or lot and the amount of taxes entered on the collector's roll against each parcel or lot, and the other particulars required by sections 33 and 34 of *The Assessment Act* as to the children in each section, and the cost of preparing this statement shall be paid by the board applying for the same.

(2) The clerk of every township in which a section is situated which is wholly or in part united to an urban municipality shall give to the clerk of the urban municipality such information as may be required regarding population and assessment in connection with such section. 1920, c. 100, s. 40.

Statement to be furnished to urban municipality by clerk of township.

APPORTIONMENT OF INVESTMENTS BY TOWNSHIPS.

41. The council of every township may by by-law apportion among the school sections in the township the principal or interest of any investments held by the corporation for public school purposes according to the salaries paid to the teachers engaged by the respective boards during the past year, or according to the average attendance of pupils in each section during the same period. 1920, c. 100, s. 41.

Apportionment of school money by township councils.

BORROWING POWERS.

In Urban Municipalities.

42.—(1) The council of an urban municipality, on the application of the board, may pass a by-law for borrowing money by the issue and sale of debentures for any one or more of the following purposes. 1920, c. 100, s. 42 (1), *part*.

Debentures for school purposes.

- (a) The purchase or enlargement of a school site or building; 1920, c. 100, s. 42 (1) cl. (a); 1924, c. 82, s. 9.
- (aa) The purchase or enlargement of a site and the erection thereon of a building for the use of the board for administration or office purposes; 1922, c. 98, s. 9.
- (b) Obtaining and conveying, from beyond the school premises if necessary, a supply of water;
- (c) The erection of a school house, drill hall, gymnasium or teacher's residence, or any addition to the same or any of them;
- (d) Repairs or improvements of the school property;
- (e) The purchase of furniture, furnishings, school apparatus, a school library and other equipment;

and it shall not be necessary that the by-law shall be submitted to the electors for their assent. 1920, c. 100, s. 42 (1), *part.*

Chargeable only on property of public school supporters.

(2) The debentures and the money to be raised annually for payment thereof shall be chargeable only upon the property of ratepayers who are supporters of public schools.

Submission of question to vote of electors.

1922, c. 72.

(3) Where the council refuses to pass such a by-law the question shall be submitted by the council, if requested by the board, to the vote of the electors qualified to vote under *The Municipal Act* on money by-laws and who are supporters of public schools, in the manner therein provided, and on the assent of such electors being obtained the council shall pass the by-law and issue such debentures; and it shall not be necessary that the by-law shall be submitted to the electors for their assent.

Form and term of debentures.

1922, c. 72.

(4) The debentures may be for such amount and for such term of years, not exceeding thirty, as the council sees fit, or the council may make the principal and interest payable by annual or other instalments, in the manner provided in *The Municipal Act*.

Where application is made by urban board and part of township attached.

(5) The application for the issue of debentures by the board of an urban municipality to which part of an adjoining township is attached shall be subject to the provisions of this section, and where a by-law is submitted to the electors as provided in subsection 3, the vote shall be taken in the same manner as nearly as may be as at an election in a union school section consisting of an urban municipality and a portion of a township, but only those electors shall vote who are public school supporters qualified to vote on money by-laws under *The Municipal Act*.

Where money borrowed proves insufficient.

(6) Where the amount provided by a by-law passed under the authority of this section proves insufficient for the purposes for which the by-law was passed the council may pass another by-law for borrowing the remainder of the money required for such purposes; and all the provisions of this section shall apply to the application for the issue of debentures for the amount required, and to the passing of a by-law for that purpose. 1920, c. 100, s. 42 (2-6).

In Rural Sections.

Township school debentures.

43.—(1) On the application of a rural school board for the issue of debentures for any of the purposes mentioned in the next preceding section the council of the township shall pass a by-law therefor, and shall forthwith issue debentures to be payable out of the taxable property of the public school supporters of the section in such annual amounts as they may deem expedient, provided always that the proposal for the

loan has been submitted to and sanctioned at a special meeting of the ratepayers called for the purpose.

(2) The application for a loan for any of such purposes shall be made by the board of a union school section to the council of the municipality within which the school house or school site of such section is situate, and all debentures for the payment of the loan shall be issued by the corporation of such municipality. To what council applications for loans to be made.

(3) The application must be sanctioned by the ratepayers of the school section in the manner set forth in subsection 1. Sanction by rate-payers. 1920, c. 100, s. 43 (1-3).

(3a) Where the by-law authorizes the issue of debentures for the erection of buildings such proportion of the proceeds of the debentures as may be necessary may be applied for the purchase or enlargement of a school site upon which such buildings are to be erected. 1922, c. 98, s. 10. Application of proceeds of debentures for school buildings.

(4) The corporation or corporations of any other municipality or municipalities forming, or any part of which forms, part of the union section shall, on the requisition of the clerk of the municipality by which the debentures were issued, pay its or their share of the loan, including interest as it comes due according to its or their liability as determined by section 28. Municipality forming part of union section to pay in proportion.

(5) The proportion of the moneys payable by the corporation of each of the municipalities shall be payable out of the taxable property of the public school supporters therein lying within the section. How payable.

(6) The expenses of preparing and publishing any by-laws or debentures, and all other expenses incident thereto, shall be paid by the section on whose behalf such debentures were issued, and the amount of such expenses may be deducted from any school rates collected by the municipal council for such section. Expenses of publishing by-laws.

(7) Notwithstanding any alterations which may be made in the boundaries of a section the taxable property of the public school supporters situate therein at the time when such loan was effected shall continue to be liable for the rate which may be levied for the repayment of the loan. 1920, c. 100, s. 43 (4-7). Liability for loan where boundaries altered.

44.—(1) A rural school board may require the council to raise by one yearly rate such sums as may be necessary for the purchase or enlargement of a school site, or the erection of a school house, or an addition thereto, or a teacher's residence. School property may be paid for by one special rate.

Council not to levy more than one rate except in certain cases.

School corporations may borrow surplus moneys.

(2) A municipal council shall not levy or collect during any one year more than one school rate except for one or more of the purposes mentioned in subsection 1. 1920, c. 100, s. 44.

45. A rural school board may, with the consent of the rate-payers first obtained at a special meeting called for that purpose, by resolution authorize the borrowing from any municipal corporation of any surplus moneys derived from the Ontario Municipalities Fund, or from any other source, for such term and at such rate of interest as may be set forth in such resolution for any or more of the following purposes: the purchase or enlargement of a school site, the erection of a school house, drill hall, gymnasium, or teacher's residence, or any addition to the same or any of them, and any sum so borrowed shall be applied only to the purpose for which it was borrowed. 1920, c. 100, s. 45.

RATES

Councils to levy sums required by trustees.

1922, c. 72.
Rev. Stat.,
c. 195.

46.—(1) The council of every local municipality shall levy and collect upon the taxable property of the public school supporters of the municipality, or of the sections in the case of rural schools, in the manner provided in this Act, and in *The Municipal Act*, and *The Assessment Act*, such sums as may be required by the board for school purposes; and shall pay the same to the treasurer of the board from time to time as may be required by the board.

Rates in union sections.

(2) In the case of a union school section formed of parts of townships, the sums levied and collected from the ratepayers by township councils shall be levied and collected by the several councils out of the taxable property of the public school supporters of such union school section, each in the proportion which such taxable property within its jurisdiction bears to the taxable property of public school supporters in the whole union section.

And to account for same.

(3) Every municipal council shall annually account for all moneys collected for public school purposes, including any sum which has been collected in excess of the sums disbursed, on account of the public school or schools within such municipality or section, and shall pay over the same to the school board of the municipality or of the section. 1920, c. 100, s. 46.

Additional grants for school purposes.

47.—(1) In addition to any sums which the council of a municipality may be bound to levy and collect under any section of this Act, the council of any municipality may make grants as it may deem expedient for the purposes of public schools within the municipality, and may assess, levy and collect the sums required to pay the same by general rate upon all taxable property of public school supporters in the municipality.

(2) The purposes for which the rate mentioned in subsection 1 may be raised shall include, but shall not be limited to, the establishment and maintenance of school corporations, aiding new or weak schools, or continuation schools or fifth classes in the municipality, or the supplementing of teachers' salaries or retiring allowances. 1920, c. 100, s. 47.

Purposes for which aid may be granted.

48. Every municipal council shall correct any errors or omissions that may have been made within the three years next preceeding such correction in the collection of any school rate duly imposed or intended so to be to the end that no property shall escape from or be compelled to pay more than its proper proportion of the rate. 1920, c. 100, s. 48.

Correction of errors in collection of rates in previous years.

49. Where in any municipality there are persons entered on the assessment roll as public school supporters and there is no public school to which public school rates levied by the council of the municipality can be applied, there shall be assessed, levied, and collected annually upon the property of all persons assessed as public school supporters in such municipality, a rate equal to the average public school rate levied in the county for boards of public school trustees of villages, and of towns not separated from the county and of school sections, and the moneys so raised shall be set apart or invested by the council of the municipality in the manner provided by section 309 of *The Municipal Act*. 1920, c. 100, s. 49.

Levying school rate where there is no public school in a municipality.

RURAL SCHOOL SECTIONS.

50.—(1) Where not already so subdivided the municipal council of every township shall subdivide the township into school sections so that every part of the township shall be included in some section, and shall distinguish each section by a number.

School sections in townships.

(2) Where the land or property of any person is situate within the limits of two or more sections the parts so situate shall be assessed and returned upon the assessment roll separately according to the divisions of the school sections within the limits of which the same are situate.

Assessors to value lands situate in each section.

(3) No section shall be formed which contains less than fifty children between the ages of five and twenty-one years whose parents or guardians are residents of the proposed section unless such proposed section is more than four square miles in area, provided that a smaller area, although it contains a less number of such children, may be formed into a school section where, because of lakes or other physical conditions, a section convenient for school purposes containing an area of more than four square miles cannot be formed.

Area of new school sections.

Township clerk to prepare maps of school sections.

(4) Every township clerk shall prepare in triplicate a school map of the township showing the divisions of the township into school sections and parts of union school sections; and shall furnish one copy to the county clerk, for the use of the county council, one to the county or district school inspector and retain the other in his office for the use of the township council, and shall furnish annually, on or before the first day of December, to the local inspector information in writing of the acreage, the assessed value, the rate for school purposes and the school population between the ages of five and twenty-one years of each section or part of a union section within the township. 1920, c. 100, s. 50.

RURAL SCHOOL TRUSTEES

Trustees to be corporation.

51.—(1) The trustees of every rural school section shall be a corporation by the name of "The Public School Board of Section No. of the Township of in the County of "(inserting the number of the section and the names of the township and county).

Trustees, term of office of.

(2) For every rural school section there shall be three trustees, each of whom, in rotation, shall, except as herein otherwise provided, hold office for three years and until his successor has been elected.

Trustees, qualification of.

(3) The persons qualified to be elected trustees shall be such persons as are British subjects, of the full age of twenty-one years, not disqualified under this Act, and who are

(a) Resident ratepayers; or

(b) The husbands, wives, sons, daughters, brothers and sisters of persons assessed as actual owners of farms where such husbands, wives, sons, daughters, brothers, or sisters are resident on the farm with the persons so assessed;

and no person not so qualified shall be elected or competent to act as trustee.

"Farm," meaning of.

(4) For the purposes of subsection 3, "farm" shall mean not less than twenty acres of land in the actual occupation of the owner thereof. 1920, c. 100, s. 51.

Elections in new sections.

52.—(1) At the first election in every new section the first trustee elected shall hold office for three years, the second for two years, and the third for one year; or in case of a poll being taken the trustee receiving the highest number of votes shall hold office for three years; the trustee receiving the number of votes next to the highest shall hold office for two years, and the other trustee shall hold office for one year.

(2) Where two or more trustees have received an equal number of votes the chairman shall give a casting vote or votes. Casting vote.

(3) The first year in each case shall be deemed to commence at the date of such first election and extend till the date fixed by this Act for holding the second annual meeting of ratepayers thereafter. 1920, c. 100, s. 52. When first year to be deemed to commence and end.

53. A school corporation shall not cease to exist by reason of the want of trustees, but if there are no trustees any two electors of the section, or the inspector, by giving six days' notice to be posted up in at least three of the most public places of the section, may call a meeting of the electors who shall elect three trustees in the manner prescribed by this Act. 1920, c. 100, s. 53. Corporation not to cease by want of trustees.

54.—(1) Where the electors of a section for two years neglect or refuse to elect trustees the council of the township may appoint trustees for the section, one for three years, one for two years, and the third for one year, to be reckoned from the date upon which the last election should have been had by the electors, and may fill the vacancies on the board so long as the electors neglect to do so. Council may appoint trustees when no election.

(2) Instead of appointing trustees the council may by by-law declare the section dissolved and attach the same, in such proportions as they may deem expedient, to adjoining sections, and the assets of the section shall be disposed of as may be determined by the judge of the county or district court of the county or district in which the school is situate, the inspector, and one other person to be named by them, whose direction or the direction of a majority of them as to the disposition of the assets shall be carried out by the council. 1920, c. 100, s. 54. Dissolution of school section on non-election of trustees. Disposal of assets at dissolution of section.

MEETINGS OF SCHOOL ELECTORS.

55.—(1) A meeting of the electors of every section for the purpose (among other things) of electing trustees shall be held annually on the last Wednesday in December, commencing at the hour of ten o'clock in the forenoon, or if the board by resolution so directs at the hour of one o'clock or eight o'clock in the afternoon, at such place as the board shall by resolution determine, or in the absence of such resolution at the school house of the section. 1920, c. 100, s. 55 (1); 1921, c. 89, s. 7. Annual meeting when held.

(2) Where a new section is formed the clerk shall fix the place for the first meeting and shall call the same for the fourth Wednesday after the time for appealing against the by-law forming the section has expired or after the final dis- Proceedings on formation of new school section.

position of the appeal, if any, by causing notices to be posted up in three of the most public places in the new section at least six clear days before the date when the meeting is to be held.

Time and
conduct of
meeting.

(3) The meeting shall be held at the same hour and conducted in the same manner as the annual meeting in organized sections.

Procedure
after elec-
tion of
trustees
in new
section.

(4) At any time after the election of trustees in a new school section proceedings may be taken under the provisions of this Act to raise money for and acquire a school site, erect school buildings and provide school equipment.

Meeting
to be
called in
default of
first or
annual
meeting.

(5) When any school meeting has not been held at the proper time the inspector, or any two electors in the section, may call a meeting of the electors by giving six clear days' notice to be posted up in at least three of the most public places in the school section; and the meeting so called shall possess all the powers and perform all the duties of the meeting in the place of which it is called.

Organiza-
tion of
meeting.

(6) The electors present at a school meeting shall elect one of their number as chairman, and shall also appoint a secretary who shall record the minutes of the meeting and perform such other duties as are required of him by this Act.

Chairman,
duties of.

(7) The chairman shall submit all motions to the meeting in the manner desired by the majority and shall be entitled to vote on any motion, and in case of a tie the motion shall be declared to be negatived, and he shall decide all questions of order subject to an appeal to the meeting.

Order of
business.

(8) The business of every school meeting may be conducted in the following order:—

- (a) Receiving the annual report of the trustees and disposing of the same;
- (b) Receiving the annual report of the auditor and disposing of the same;
- (c) Electing an auditor for the ensuing year;
- (d) Miscellaneous business;
- (e) Instructing the trustees by resolution, if deemed expedient, to insure the school buildings and furniture;
- (f) The election of trustees. 1920, c. 100, s. 55, (2-8).

(9) Where a special meeting of the electors of a school section is called the meeting shall be held at the hour of ten o'clock in the forenoon, or if the board by resolution so directs at the hour of one o'clock in the afternoon or eight o'clock in the afternoon, at such place as the board shall by resolution determine, or in the absence of such resolution at the school house of the section. 1922, c. 98, s. 11.

Special meeting,—when to be held.

VOTING ON ELECTIONS OR SCHOOL QUESTIONS IN A RURAL SECTION.

56.—(1) Every person who is a ratepayer in a rural school section and every other person who is qualified to vote at municipal elections and who resides in the rural section and is not a supporter of separate schools, shall be entitled to vote at an election of trustees in the section and on every question submitted to a school meeting except a question involving expenditure of money on capital account.

Qualification of voters.

(2) On a question involving the expenditure of money on capital account only such persons as are ratepayers in the school section shall be entitled to vote.

When only ratepayers to vote.

(3) A person who is not a British subject, or who is a citizen or subject of any foreign country shall not be entitled to vote at an election of school trustees in a rural school section or upon any school question. 1920, c. 100, s. 56.

Persons not British subjects excluded.

57.—(1) A poll may be demanded by any two electors at a meeting for the election of trustees or for the settlement of any school question in a rural section, and such poll shall be granted by the chairman forthwith if demanded within ten minutes after the result of a vote has been declared by the chairman.

Granting poll.

(2) Where a poll is granted for the election of a trustee the secretary shall enter in a poll-book, in separate columns, the names of the candidates proposed and seconded, and shall write therein the names and residences of the electors offering to vote within the time prescribed by this Act, and shall, in the column in which is entered the name of a candidate voted for by a voter, set the figure "1" opposite the voter's name.

Proceeding in case of a poll.

(3) Where a poll is granted on any school question the secretary shall prepare a poll-book with two separate columns marked respectively "for" and "against;" and shall write therein the name and residence of each person voting on the question; and shall record his vote by setting the figure "1" opposite his name in the proper column so as to show how he votes on the question.

Poll-book.

When voter
is objected
to.

(4) If objection is made to the right of any person to vote the chairman, if the name of such person appears on the assessment roll or on Part I or Part II of the Voters' List, shall require such person, where he votes as a ratepayer, to make the following declaration:—

Declaration
by voter.

(1) I, *A. B.*, declare and affirm that I am an assessed ratepayer, in school section No. —;

(2) That I am of the full age of twenty-one years;

(3) That I am a natural born (*or* naturalized) subject of His Majesty; and am not a citizen or subject of any foreign country;

(4) That I am a supporter of the public school in said school section No. —;

(5) That I have a right to vote at this election;

or shall require such person where he votes as an elector who is not a ratepayer to make the following declaration:—

(1) I, *A. B.*, declare and affirm that I am entered on the assessment roll (*or* voters' list) of this municipality as entitled to vote at municipal elections;

(2) That I am of the full age of twenty-one years;

(3) That I am a natural born (*or* naturalized) subject of His Majesty, and am not a citizen or subject of any foreign country;

(4) That I am not a supporter of any separate school;

(5) That I have been a resident of this school section for the six months last past;

(6) That I have a right to vote at this election.

After making such declaration the person making it shall be entitled to vote.

When poll
shall close.

(5) The poll shall not close before noon but may close at any time thereafter when a full hour elapses without any vote being polled, and shall not be kept open later than four o'clock in the afternoon.

Polling at
evening
meeting.

(6) When the meeting is held in the evening the electors may decide, by resolution, that the poll shall be conducted forthwith or at ten o'clock on the following morning; and if conducted in the evening the poll shall close after ten minutes has elapsed without any vote being recorded.

Counting
votes—cast-
ing vote.

(7) When the poll is closed the chairman and secretary shall count the votes polled for the respective candidates or affirmatively and negatively upon the question submitted, and if there is a tie the chairman shall give a second or casting vote.

Declaration
of result.

(8) In the case of an election of trustees the chairman shall then declare the candidate elected for whom the highest num-

ber of votes has been polled, and in case of a vote on a school question he shall declare the same adopted or negatived as the majority of votes is in favour of or against the same.

(9) A correct copy of the minutes of every school meeting and a copy of the poll-book where a poll has been taken, all of which shall be signed by the chairman and secretary, shall be forthwith transmitted by the chairman to the inspector. Copy of minutes and of poll-book for inspector.

(10) The secretary of every school meeting at which any person is elected as trustee shall forthwith notify him in writing of his election, and of the name and address of the chairman of the meeting, and every person so notified shall be deemed to have accepted the office unless a notice to the contrary is delivered by him to the chairman within twenty days after the date of election. Acceptance of office by trustees.

(11) Where complaint is made to the inspector by an elector that the election of a trustee, or that the proceedings or any part thereof of a school meeting have not been in conformity with this Act, the inspector shall investigate the complaint, and confirm the election or proceedings if found to be in substantial accordance with this Act, or set the same aside if found not to be in substantial accordance therewith, and in the latter event he shall appoint a time and place for a new election or for the reconsideration of the school question, but no complaint shall be entertained unless made in writing to the inspector within twenty days after the holding of the election or meeting; and it shall not be incumbent upon the inspector to set aside such election or any proceeding for want of formal compliance with the provisions of this Act if he is satisfied that the result of such election or proceeding has not been affected thereby. Complaints as to elections.

(12) The clerk of the municipality shall supply a list of the persons qualified to vote when required by the board or when required by the inspector in the case of an investigation with regard to the election of a trustee or the proceedings of a school meeting. 1920, c. 100, s. 57. Clerk to supply list of school voters.

URBAN SCHOOL BOARDS.

58.—(1) Every board in urban municipalities shall be a corporation by the name of "The Board to be a corporation. Public School Board," prefixing to the words "Public School Board" the name of the municipality for which the board is elected.

(2) Any ratepayer in an urban municipality who is a British subject, and who resides in the municipality, or in the case of a city, or town, within one mile from the boundaries of the municipality, and who is of the full age of twenty-one years and not disqualified, may be elected a public school trustee and Who may be elected trustees.

every trustee except as otherwise herein provided, shall continue in office until his successor has been elected, and a new board organized, but no person who is not a British subject shall be elected or competent to act as trustee. 1920, c. 100, s. 58.

First election of trustees.

59.—(1) Where an unincorporated village becomes incorporated or a village or town changes its corporate status, or a portion of a township or portions of two or more townships is or are incorporated as a town, the board having jurisdiction over the school property situate within such village or town before its incorporation or before the change of its corporate status shall exercise all the powers conferred by this Act upon the board of an urban municipality until a new election of trustees is held.

First meeting in newly incorporated village.

(2) Where an unincorporated village becomes incorporated the board shall call a meeting of the electors within one month after the date of the incorporation for the election of a new board.

Procedure for calling meeting.

(3) In calling the meeting the provisions of section 63 shall be complied with so far as the same are applicable. 1920, c. 100, s. 59.

[NOTE.—As to elections in a union school section including an urban municipality and a portion of a township, see section 26.]

Municipalities Divided into Wards.

Trustees in city, etc., divided into wards.

60.—(1) For every ward into which an urban municipality is divided there shall be two trustees, each of whom shall, except as otherwise provided in this Act, continue in office for two years and until his successor has been elected and the new board organized.

Retirement by rotation.

(2) After the first election of trustees in any ward, or when from any cause the two trustees in any ward are elected simultaneously, one of them, to be determined by lot at the first meeting of the board after their election, which determination shall be entered upon the minutes, shall hold office for one year and the other for two years, and after such first or simultaneous election one trustee shall be elected annually for each ward. 1920, c. 100, s. 60.

Municipalities not divided into Wards.

Trustees in villages not divided into wards.

61.—(1) The board of a town or village not divided into wards shall consist of six trustees each of whom, except as otherwise provided in this Act, shall continue in office for two years and until his successor has been elected and the new board organized.

(2) After the first election three of the board, to be determined by lot at the first meeting of the board after their election, which determination shall be entered upon the minutes, shall hold office for one year and the other three for two years, and after the first election three trustees shall be elected annually. 1920, c. 100, s. 61. Retirement by rotation.

ELECTION OF TRUSTEES IN URBAN MUNICIPALITIES.

62. Every person named in the last revised voters' list as being entitled to vote at municipal elections, and who is not a supporter of separate schools, shall be entitled to vote at the election of school trustees in urban municipalities. 1920, c. 100, s. 62. Qualification of voters.

63.—(1) Subject to the provisions of section 61 elections of public school trustees in urban municipalities shall be held in the manner following:— Provisions for elections of trustees.

- (a) A meeting of the electors for the nomination of candidates shall take place at noon on the last Wednesday in the month of December, annually, at such place as shall be fixed by resolution of the board, and in municipalities divided into wards in each ward thereof if the board so directs; Nominations.
- (b) The board shall by resolution before the second Wednesday in December in each year name the returning officers to preside at the meetings for the nomination of candidates, and also for holding the election in case of a poll, and in case of the absence of such officer a chairman chosen by the meeting shall preside, and the board shall give at least six days' notice of such meeting; Returning officer.
- (c) If at such meeting only the necessary number of candidates are proposed and seconded the returning officer or chairman, after the lapse of one hour, shall declare such candidates duly elected and shall so notify the secretary; but if more candidates are nominated than are required to be elected the returning officer or chairman shall adjourn the proceedings until the first Wednesday in January then next when a poll or polls shall be opened at such place or places, and in each ward where the municipality is divided into wards, as shall be determined by resolution of the board; Proceedings at nominations.
- (d) The polls shall be opened at the hour of ten o'clock in the forenoon and shall continue open until five o'clock in the afternoon and no longer, but any poll may be closed at any time after eleven o'clock Hours of polling.

in the forenoon when a full hour elapses without a vote having been polled;

Furnishing voters' list in cities and towns divided into wards.

- (e) In urban municipalities and where township boards exist the clerk of the municipality shall furnish to the board, within three days after request in writing, "The Voters' List" of the municipality, together with a supplementary list either printed or in writing of the names of persons who are assessed as supporters of separate schools;

For each polling place.

- (f) The board shall provide each polling place with such lists, and a poll book; and the returning officer or deputy returning officers, or the poll clerk, shall enter in such book in separate columns the names of the candidates nominated, and shall write the names and residences of the electors offering to vote at the election, and shall in each column in which is entered the name of a candidate voted for by a voter set the figure "1" opposite the voter's name;

Entries in poll book.

- (g) When an objection is made to the right of a person to vote the returning officer or deputy returning officer shall require such person to make the following oath:—

Oath to be administered when voter objected to.

Form of oath.

You swear (*or solemnly affirm*) that you are the person named (*or intended to be named*) in the list of voters now shown to you (*showing the list to voter*);

That you are of the full age of twenty-one years;

That you are a public school supporter [*or in the case of an elector who is not assessed as a ratepayer: That you are a resident in this municipality and are not a supporter of separate schools*];

That you are a natural-born or naturalized subject of His Majesty, and that you are not a citizen or subject of any foreign country;

That you have not before voted for school trustee at this election, at this or any other polling place in this ward (*or in this municipality where the municipality is not divided into wards*) for school trustee;

That you have not directly or indirectly received any reward or gift nor do you expect to receive any for the vote which you tender at this election;

That you have not received anything, nor has anything been promised to you directly or indirectly, either to induce you to vote at this election, or for loss of time, travelling expenses, hire of team or any other service connected with this election;

And that you have not directly or indirectly paid or promised anything to any person either to induce him to vote or to refrain from voting at this election. So help you God.

And after making such oath the person making it shall be entitled to vote;

- (h) The returning officer or deputy returning officer shall, on the day after the close of the election, return the poll book to the secretary with his solemn declaration thereto annexed that the poll book has been correctly kept and contains a true record of the votes given at the polling place for which he was returning officer or deputy returning officer; Duty of returning officer after close of election.
- (i) The secretary shall add up the number of votes for each candidate as appears from the poll book so returned, and shall declare elected the candidate or candidates having the highest number of votes, and shall forthwith notify the candidates in writing of the number of votes polled for each of them; Duty of secretary.
- (j) When the result of the polling is indecisive by reason of two or more candidates having an equal number of votes all of such candidates shall be notified of the first meeting of the board after the election, and the member of the board present at such meeting who is assessed for the largest sum on the last revised assessment roll, shall, before the organization of the board, give a vote for one or more of such candidates so as to decide the election. Casting vote.
- (2) Where trustees are elected by wards in the case of a town divided into wards, or in the cases provided for in subsection 4 of section 65, and the election of trustees is not by ballot, it shall be conducted as nearly as may be in accordance with the provisions of subsection 1. 1920, c. 100, s. 63. Open voting where election by wards.

ELECTION BY BALLOT.

64.—(1) The board of an urban municipality or a township board may, by resolution of which written notice shall be given to the clerk of the municipality on or before the first day of October in any year, require the election of school trustees for such urban municipality or township to be held by ballot on the same day as municipal councillors or aldermen are elected as the case may be. Elections of trustees on same day as municipal elections.

(2) Any such board may in like manner discontinue the use of the ballot on giving written notice to the clerk to that effect at the time hereinbefore mentioned, and thereafter the elections shall be conducted as provided in section 63. Trustees may discontinue use of ballot at elections.

(3) Where any such board requires elections to be held by ballot, and elections are so held, no change shall be made in the mode of conducting such election for a period of three years, and should the mode of conducting the elections by Ballot not to be discontinued or resumed for three years after the change.

ballot be discontinued at any time then the provisions of section 63 shall apply for a period of three years at least after such discontinuance.

Mode of conducting elections by ballot.

(4) Where notice is given requiring the election to be held by ballot such election shall thereafter be held at the same time and place and by the same returning officer or officers and conducted in the same manner as the municipal nominations and elections of aldermen or councillors, and the provisions of *The Municipal Act*, respecting the time and manner of holding the election, including the mode of receiving nominations for office, and the resignation of persons nominated, vacancies, and declarations of qualification and office, shall *mutatis mutandis* apply to the election.

1922, c 72

Form of ballot papers.

(5) A separate set of ballot papers shall be prepared by the clerk of the municipality for each of the wards or polling subdivisions containing the names of the candidates in the same form *mutatis mutandis* as those used for councillors or aldermen, and no ballot shall be delivered to any person who is entered on the list of voters as a separate school supporter. 1920, c. 100, s. 64.

Election of trustees where wards abolished.

65.—(1) In towns divided into wards the board by resolution may limit the number of trustees to six, provided that at least one month's notice was given of the intention to consider a resolution to that effect, and such limitation shall not come into operation until the close of the current school year.

By vote of electors of whole municipality.

(2) When such resolution has been adopted the election shall thereafter be by vote of the electors of the whole municipality.

Retirement of trustees by rotation.

(3) The board shall by lot determine what trustee or trustees shall retire in addition to the number retiring by annual rotation in order to admit of the election of three new trustees at the next annual election, and thereafter three trustees shall be elected annually by the ratepayers of the whole municipality to fill the place of the same number retiring by rotation.

Filling vacancies.

Election of trustees by wards in certain cities and towns.

(4) In a city having a population of 20,000 or over, and until a resolution has been passed under subsection 1, in a city having a population of less than 20,000, and in a town, the trustees shall continue to be elected by wards notwithstanding that aldermen and members of the council are elected by general vote and not by wards.

Vote by ballot.

(5) Where the trustees are elected by ballot the election shall be conducted as nearly as may be in the manner provided in section 64, and the officers for holding such election shall be appointed by the municipal council as if the

election of aldermen or councillors by general vote had not been adopted for such city or town. 1920, c. 100, s. 65.

[NOTE.—*As to elections in a union school section including an urban municipality and a portion of a township, see section 26.*]

VACANCIES ON BOARD.

66.—(1) Where the office of trustee becomes vacant from any cause, the remaining trustees shall, except as provided in subsection 2, forthwith hold a new election to fill such vacancy in the manner provided for holding the annual election of trustees, and the person elected shall hold office for the remainder of the term for which his predecessor was elected. Vacancy in office of trustee.

(2) In the case of an urban municipality if such vacancy occurs within three months of the expiry of the term of office the remaining trustees may allow the office to remain vacant until the next ensuing annual election. Special case.

(3) Where the inspector reports that no persons duly qualified are available, the Minister may appoint as members of the board such persons as he may deem proper, and the persons so appointed shall have all the authority of a board as though they were eligible and duly elected according to the provisions of the Act. 1920, c. 100, s. 66. Appointment of trustees on failure of qualified persons.

CONTROVERTED ELECTIONS.

67.—(1) Every complaint respecting the validity or mode of conducting the election of a trustee or the return made by a returning officer in an urban municipality or in a township for which a township board has been established shall be made to the judge of the county or district court within twenty days after such election, and he shall, within a reasonable time, in a summary manner hear and determine the complaint, and may cause the assessment rolls, collector's rolls, poll books and other records of the election to be brought before him, and may inquire into the facts by oral testimony or upon affidavit and may cause such persons as he may deem expedient to appear before him and give evidence. Investigation of complaints by judge.

(2) The judge may confirm the election or set it aside, or declare that some other candidate was duly elected, or may order a new election, and may order the person found by him not to have been elected to be removed; and if the judge determines that any other person was duly elected he may order such person to be admitted; and if the judge determines that no person was duly elected he shall order a new election to be held, and he shall in all cases report his decision to the secretary of the board. 1920, c. 100, s. 67. Powers of judge.

Bribery
and undue
influence.

1922, c. 72.

68. In the case of an election of trustees in an urban municipality or in a township for which a township board has been established the provisions of *The Municipal Act*, as to bribery and undue influence shall apply, and in every case in which an election is complained of on those grounds the enquiry by the judge in reference thereto shall be by oral testimony only. 1920, c. 100, s. 68.

RESIGNATIONS.

Trustees
may resign.

69.—(1) A trustee of a rural section may resign by giving notice in writing to each of the other trustees.

Re-election
of any
trustee
lawful.

(2) Where after the resignation of a rural school trustee he has continued to act for three months without his right to do so having been called in question by proceedings to vacate his seat, or for the holding of a new election, he shall be deemed to have continued to be a trustee, notwithstanding his resignation, and shall hold office for the residue of the term for which he was elected.

Urban
trustee
may resign.

(3) A member of an urban board may resign by giving written notice of his resignation to the secretary.

Trustees
resigning
but continu-
ing to act.

(4) A retiring trustee shall be exempted from serving for four years next after leaving office, but he may with his own consent be re-elected. 1920, c. 100, s. 69.

MEETINGS OF BOARDS.

First meet-
ing of
board.

70.—(1) Every urban board shall hold its first meeting in each year on the third Wednesday in January at the hour of seven o'clock in the evening or at such other hour on the same day and at such place as may have been fixed by resolution of the former board, or, if no place has been so fixed, at the usual place of meeting of the council of the municipality.

Chairman.

(2) The secretary shall preside at the election of chairman, or if there is no secretary or in his absence, the members present shall choose one of themselves to preside at such election and the member so chosen may vote as a member.

Casting
vote.

(3) In case of an equality of votes at the election of chairman the member who is assessed for the largest sum on the last revised assessment roll shall have a second or casting vote.

Quorum.

(4) The presence of a majority of the members constituting a board shall be a quorum at any meeting and a vote of the majority of such quorum shall be necessary to bind the corporation.

(5) On every question other than the election of a chairman the chairman or presiding officer of the board may vote with the other members of the board, and any question on which there is an equality of votes shall be deemed to be negatived. 1920, c. 100, s. 70. Equality of votes.

71.—(1) Subject to the provisions of subsection 4 of section 55, every rural school board shall hold its first meeting in each year at the school house of the section on the Wednesday following the annual meeting at the hour of 4 o'clock in the afternoon, and shall be organized by the election of a chairman, a secretary and a treasurer or a secretary-treasurer. Organization of board at first meeting.

(2) Subsequent meetings shall be held at such time and place as the board may deem expedient. Subsequent meetings.

(3) The presence of a majority of the members constituting a board shall be necessary to form a quorum. 1920, c. 100, s. 71. Quorum.

72. No act or proceeding of a rural school board which is not adopted at a regular or special meeting at which at least two trustees are present shall be valid or binding. 1920, c. 100, s. 72. Regularity of proceedings.

NON-RESIDENT PUPILS.

73.—(1) The board shall admit to the school any non-resident pupil if the inspector reports that the accommodation is sufficient for the admission of such pupil and that the school is more accessible for him than the school in the section in which the pupil resides. 1922, c. 98, s. 12. Admission of non-resident pupils.

(2) The parent or guardian of such non-resident pupil shall pay such fees monthly as may be prescribed by the board, but such fees, together with the taxes, if any, paid by the parent or guardian to such school, shall not exceed the average cost per pupil of the maintenance of the school. 1920, c. 100, s. 73 (2). Fees of non-resident pupils.

(3) The parent or guardian shall be liable for the payment of all rates assessed on his taxable property for the purposes of the section in which he resides, but the board of that section shall remit to the parent or guardian any rates so payable to the extent of the amount of the fees so paid to the board of the neighbouring section. 1920, c. 100, s. 73 (3); 1922, c. 98, s. 13. A resident of one section sending his children to another section.

(4) Where the property of a non-resident is assessed for an amount equal to the average assessment of residents the children of such non-resident shall be admitted to the public school of the section on the same terms and conditions as the children of residents. Attendance of children of non-residents.

Remission
of school
tax where
certain
fees paid.

(5) Where the children attending a neighbouring section reside three miles or more by the nearest public road from the school house in the section to which they belong the board of the section in which such children reside shall remit so much of the taxes payable by the parents or guardians of such children for school purposes as equals the fees paid to the board of the neighbouring section. 1920, c. 100, s. 73 (4-5).

Pupils in
house of
refuge.

(6) A person of school age maintained in a county house of refuge or a children's shelter, shall be deemed to be a non-resident and the county council shall pay to the board of the school attended by such person such monthly fees as may be agreed upon, or at least the average cost per pupil of the maintenance of the school. 1920, c. 100, s. 73 (6); 1925, c. 78, s. 5.

Providing
for admis-
sion of
pupils from
rural school
section to
urban or
Indian
schools.

74.—(1) The electors of a rural section may by resolution at the annual or any special meeting authorize the board to provide for the admission of the pupils of such section to the schools of any adjoining urban municipality or school section or to an Indian school under the supervision of a public school inspector, subject to the approval of the Minister and of the board of such urban municipality or school section or authority having control of the Indian school, and the accommodation provided under such arrangement shall be taken in lieu of the accommodation which the board is required by this Act to make for the pupils of the section, and as a public school within the meaning of sections 95 and 96.

Payment
of fees
and ex-
penses of
conveying
pupils to
and from
school.

(2) The first mentioned board may levy and collect upon the taxable property of the section such sums as may be necessary to pay the fees of pupils attending the schools of such urban municipality or school section and to pay for the conveyance of the pupils to and from such schools, and also such other sums as they may deem expedient or as may be required by this Act.

Expenses
payable by
township.

(3) The township council shall pay to the board of such rural section their actual disbursements for the maintenance of their pupils at and their transportation to and from the school which they attend, not exceeding the minimum sum required by subsection 1 of section 95 and subsections 1 and 2 of section 96, to be levied, collected and applied to teachers' salaries.

Share of
grants.

(4) The board shall also be entitled to receive such share of the legislative and county grants as may be determined by the Minister in case the amount received from the township council is not sufficient to cover such actual disbursements. 1920, c. 100, s. 74.

75.—(1) The board of education or board of public school trustees in an urban municipality may agree with the board of public school trustees of an urban municipality or school section or township school area adjacent to the boundaries of such first mentioned urban municipality for the erection by either or any of the boards of a school or schools in such adjacent urban municipality, school section or township school area or in such first mentioned municipality for the joint accommodation of pupils from such adjacent urban municipality, school section or township school area and from such first mentioned urban municipality or from any designated area thereof contiguous to such township municipality, school section or township school area or for the joint use of a school or schools in any such school section or municipality by pupils from such first mentioned urban municipality and from such adjacent urban municipality, school section or township school area or such designated area.

Agreements between boards as to school accommodation.

- (a) Where any such agreement heretofore or hereafter made provides that a part of the annual expenditure for maintenance and for the payment of the debt shall be borne by each board, the assessment shall be equalized annually by a board of arbitrators, one of whom shall be appointed by each of the boards interested and in the case of the number so appointed being an even number the judge of the county or district court shall be a member of the board and the chairman thereof. 1925, c. 78, s. 6.

Equalization of assessment.

(2) The agreement shall fix the accommodation to be provided, and where the schools are to be erected, provide for the erection thereof and the class of buildings to be erected and shall also fix the proportion of the cost of providing such accommodation or of erecting and maintaining the school to be contributed by the urban municipality, the school section and the township school area respectively.

Terms of Agreement.

(3) Each of the boards shall include in its annual estimates an amount sufficient to pay its proportion of such cost, and the same shall be levied, collected and paid over by the corporation of the urban municipality and the corporation of the township as part of the rate levied for public school purposes in the urban municipality or in the school section or township school area.

Raising proportion of cost.

(4) The agreement shall not be binding nor shall it be acted upon until it has received the approval in writing of the Minister.

Agreement to be approved by Minister.

(5) The Minister may make regulations in the manner provided by *The Department of Education Act* for the appor-

Regulations.

tionment of the legislative and municipal grants in the case of schools to which this section applies and may fix the proportion which shall be paid on account of any such schools out of the legislative grants for rural and urban schools respectively, and the proportion of the municipal grant to rural schools which shall be paid on account of such school. 1921, c. 89, s. 8 part.

DUTIES OF TRUSTEES.

76. It shall be the duty of the boards of all public schools and they shall have power:

Duties of board.

Appointment of officers.

To fix meetings of the board.

Inspection of school property at first meeting of board.

To provide accommodation.

Rev. Stat., c. 270.

To provide and maintain school premises.

- (a) To appoint a secretary and a treasurer or a secretary-treasurer, who may be a member of the board, and to appoint such committees, officers and servants as may be deemed expedient;
- (b) To fix the time and place of meetings of the board, the mode of calling and conducting them, and of keeping a correct account of the proceedings of such meetings and to transmit to the Minister all returns and reports required by the Regulations;
- (c) In the case of a rural school board at the first meeting of the board to examine the school house, out-buildings and school furniture; maps and apparatus, with a view to ascertain what repairs or improvements may be necessary, and to make suitable provision for lighting fires and keeping the school house and premises in a cleanly and sanitary condition by appointing some person for that purpose;
- (d) To provide adequate accommodation for all children between the ages of five and sixteen years resident in the municipality, and in the case of rural schools for two-thirds of such children resident in the section, as ascertained in both cases by the school census taken by the assessor in the next preceding year, and in computing such residents the children of persons on whose behalf a separate school has been established under *The Separate Schools Act* shall not be included;
- (e) To acquire or rent school sites and premises, and to build, repair, furnish, and keep in order the school houses, furniture, fences and all other school property, and to keep the wells, closets and premises in a proper sanitary condition;

- (f) To procure registers, maps, globes, apparatus and, if deemed expedient, prize books, and to establish and maintain school libraries. To procure books and appliances.
- (g) To determine the number, grade, territorial boundaries and description of schools to be opened and maintained; the teachers to be employed; the terms on which they are to be employed and their remuneration and rank, whether principals or assistants; To determine number and kind of schools, etc.
- (h) To keep open each school during the whole period of the school year, except where it is otherwise provided by this Act, and if deemed expedient to establish kindergartens and classes for industrial training and instruction in household science; and establish school gardens and summer or vacation schools; To keep school open and establish classes, etc.
- (i) In the case of a rural school board, to ascertain and report to the Minister at least once in each year the names and ages of all children of school age who are blind or who are deaf and dumb and who would otherwise be required to attend the school under their charge; Rural school—reporting deaf, dumb and blind.
- (j) To provide and pay for such dental and medical inspection of the pupils as the Regulations may prescribe, or, in the absence of Regulations, as the board may deem proper, but this clause shall not apply to the board of education of a city having a population of over 200,000. 1920, c. 100, s. 76, cls. (a-j). Dental and medical inspection.
- (jj) Subject to the regulations to provide and pay for such medical and dental inspection of the pupils by officers of the local boards of health. 1924, c. 83, s. 3.
- (k) To expel from the school a pupil who is adjudged by the board and the teacher to be so refractory that his presence in school is injurious to the other pupils; Dismissal of refractory pupils.
- (l) If deemed expedient to purchase for the use of pupils text-books and other school supplies; and either to furnish the same to the pupils free of charge or to collect for the use thereof from their parents or guardians a sum not exceeding twenty cents per month per pupil to defray the cost thereof; Books and school supplies.
- (m) If deemed expedient to exempt any indigent person from the payment of school rates, in whole or in part, and to notify the clerk of the municipality

Exemption
of indigent
persons from
school rates.

of such exemption on or before the first day of August, and where deemed necessary to provide for the children of such person text-books and other school supplies at the expense of the board;

Urban
boards to
pay officials
and main-
tenance
expenses.

- (n) To provide and pay, in the case of urban schools, salaries of inspectors, teachers, instructors, and other officers and employees of the board, repairs to buildings, furnishings, fuel, light, stationery, equipment, insurance and miscellaneous expenses, including travelling expenses of trustees and officers of the board incurred by the authority of the board;

To lay
before
council
estimates
for moneys.

- (o) To submit to the municipal council, on or before the first day of August, or at such time as may be required by the council, an estimate for the current year of the expenses of the schools under their charge;

Payment
of teachers'
salaries.

- (p) To provide, in the case of rural schools, for the payment of a secretary's and teachers' salaries monthly and, if necessary, to borrow on the promissory note of the board, under its corporate seal, at interest not exceeding eight per cent. per annum, such moneys as may be required for that purpose until the taxes imposed therefor are collected;

To publish
auditors'
report.

- (q) To submit, in the case of urban municipalities, all accounts, books and vouchers to be audited by the municipal auditors whose duty it shall be to audit the same, and to publish as soon as the audit is made in one or more of the public newspapers, or otherwise, an abstract of the annual report of the auditors with their findings and recommendations;

Custody
and dis-
posal of
school
property.

- (r) To take possession of all property acquired or given for public school purposes and to hold the same according to the terms on which it was acquired or given; and to dispose, by sale or otherwise, of any school site or property not required in consequence of a change of site or other cause; to convey the same under their corporate seal, and to apply the proceeds thereof for school purposes or as directed by this Act;

Supple-
menting
superan-
nation
allowances.

- (s) To supplement out of school funds, as deemed expedient, any allowance payable under this Act to superannuated teachers;

- (t) To execute the agreement with each teacher re- ^{Execution of teachers' agreements.} quired by subsection 1 of section 90, and to procure the execution thereof by the teacher before he enters upon his duties;
- (u) To permit the school house and premises to be used ^{Use of school house.} for any educational or other lawful purposes which may be deemed proper, provided the proper conduct of the school is not interfered with;
- (v) If deemed expedient and subject to the Regulations ^{Evening lectures.} to establish, conduct and maintain free lectures open to the public, and to include in their estimate for the current year the expense thereof;
- (w) If deemed expedient to dismiss the secretary or ^{Dismissal of secretary or treasurer.} treasurer at any time and thereupon to make a new appointment to fill the vacancy;
- (x) If deemed expedient to provide books, stationery ^{Penny savings banks.} and other materials necessary in connection with the establishment and maintenance of a penny savings bank, or any system introduced for the encouragement of thrift and the habit of saving.
- (y) If deemed expedient, to provide for surgical treat- ^{Providing surgical treatment for children in certain cases.} ment of children attending the school suffering from minor physical defects, where in the opinion of the teacher and (where a school nurse or medical inspector is employed) of the nurse and medical inspector, the defect interferes with the proper education of the child, and to include in their estimates for the current year the funds necessary for cases where the parents are not able to pay, provided that no such treatment shall be undertaken without the consent of the parent or guardian of such child. 1920, c. 100, s. 76, cls. (k-y).
- (z) In cities of 100,000 population and over, to provide ^{Special classes for blind and deaf.} if deemed expedient, and subject to the approval of the Minister, special classes for the instruction of blind or deaf and dumb pupils residing within the municipality. 1924, c. 82, s. 10.

77. The board of a city, when so requested in writing by a charitable organization having the charge of children of school age, in the city or in any contiguous municipality, may employ teachers for such children and may furnish for their use all school supplies and such children shall be considered public school pupils and shall be subject to the provisions of this Act. 1920, c. 100, s. 77. ^{Employing teachers in charitable institutions.}

Grant for
encourage-
ment of
physical
training.

78.—(1) An urban board may expend such sums as it may deem expedient for establishing and maintaining cadet corps and in promoting and encouraging gymnastics and other athletic exercises but such sums shall not exceed \$200 per annum when the annual registered attendance of pupils does not exceed 3,000 and \$50 additional for each additional thousand in attendance.

Military
uniforms.

(2) The board may also provide uniforms for classes in military drill.

Consolida-
tion of
funds for
games.

(3) Where a board of education has been established in any city or town the allowance for games to high schools and public schools may be consolidated, and games for the high schools and public schools held on the same day. 1920, c. 100, s. 78.

Travelling
expenses
attending
teachers
association.

79. The board may pay the travelling expenses of any member of the board or of any teacher in the employment of the board incurred in attending meetings of the Ontario Educational Association or other like association of teachers or trustees in Ontario. 1920, c. 100, s. 79.

Board may
provide for
transporta-
tion of
pupils.

79a. The board may provide for the transportation of pupils to and from a school maintained by it or which is used jointly by it and another board or other boards and any payment made or any liability heretofore made or incurred for such purpose under agreement or otherwise is hereby validated and confirmed and declared to have been legally made or incurred. 1925, c. 78, s. 7.

DUTIES OF TREASURER.

Security to
be given
by secretary-
treasurer.

80.—(1) The treasurer shall give such security as may be required by the board, and the security shall be deposited with the clerk of the municipality.

Trustees
not to be
sureties.

(2) A trustee shall not be surety for the treasurer or for any person entrusted with school money.

Duties.

(3) The treasurer shall receive all school moneys and shall account for the same and shall disburse all moneys as directed by the board, and he shall produce, when required by the board or by auditors or other competent authority, all papers and money in his possession, power or control belonging to the board. 1920, c. 100, s. 80.

DUTIES OF SECRETARY.

81. It shall be the duty of the secretary:

Duties of
secretary.
Minutes of
meetings.

(a) To keep a full and correct record of the proceedings of every meeting of the board in the minute book provided by the board for that purpose, and to

see that the minutes, when confirmed, are signed by the chairman of the meeting; 1920, c. 100, s. 81, cl. (a);

- (b) In the case of a rural school section to call a special meeting of the board at the request in writing of two trustees or of five electors, specifying the objects for which the meeting is to be held, and to state the objects of the meeting in the notice calling the same. 1920, c. 100, s. 81, cl. (b); 1924, c. 82, s. 11. Calling special meetings.
- (c) In the case of a rural section to give notice in writing, before the 15th day of January in each year, to the inspector and to the clerk of the municipality of the names and post office addresses of the trustees and of the teachers employed, and to give reasonable notice in writing from time to time of any changes; Names and addresses of trustees and teachers to be given to township clerk.
- (d) In the case of a rural section to give the notice required by this Act of each annual meeting of the ratepayers of the section; to call a special meeting of the ratepayers when directed by the board or on the request in writing of five electors for filling any vacancy in the board, for the selection of a new school site, or the appointment of a school auditor or for any other lawful school purpose; to cause notices of the time and place, and of the objects of such meeting, to be posted up in three or more public places in the section at least six clear days before the time of holding such meeting; and to cause to be prepared for the annual meeting of the ratepayers a report for the year then ending containing a summary of the proceedings of the board during the year, a detailed account of all school moneys received and expended during such year and any further information that may be required by the Minister or by the Regulations, such report to be signed by the trustees and by either or both of the auditors of the section; Notice of annual meeting and meetings to fill vacancies in board, etc.
- (e) To transmit to the inspector all returns on or before the fifteenth day of January in each year according to the forms prescribed by the Regulations. 1920, c. 100, s. 81, cls. (c-e). Report at annual meeting.
- (e) To transmit to the inspector all returns on or before the fifteenth day of January in each year according to the forms prescribed by the Regulations. 1920, c. 100, s. 81, cls. (c-e). Annual and semi-annual returns.

82. Where the secretary of a rural school section is not a member of the board he may be allowed such remuneration for his services and for attending to the repairs of the school house or premises as shall be fixed by the trustees, and where he is a member of the board he may be allowed compensation for his services as provided in subsection 3 of section 121. 1920, c. 100, s. 82. Compensation of secretary-treasurer.

AUDITORS OF RURAL SECTIONS.

Auditors. **83.**—(1) There shall be two auditors for every rural section. One of whom shall be elected annually by the ratepayers at the annual meeting or at a special meeting, and the other appointed by the board on or before the first day of December in each year.

Filling vacancies. (2) Where an auditor refuses or is unable to act or dies another may be elected or appointed in his place.

Appointment by inspector. (3) If from any cause at any time after the first day of December there are not two auditors willing, able and authorized to act, the inspector on the written request of any two ratepayers shall appoint one or both auditors as the case may require.

Trustees and secretary-treasurer to lay accounts, etc., before auditors. (4) The board or the secretary and treasurer shall lay all accounts before the school auditors or one of them, together with the agreements, vouchers, contracts and books in their possession, and the board and the secretary and treasurer and each of them shall afford to the auditors all the information in his or their power as to the receipts and expenditures which the auditors or either of them may require.

Time of audit. (5) The auditors, or one of them, shall on or immediately after the first day of December in each year appoint a time, before the day of the next ensuing annual school meeting, for examining the accounts of the school section.

Auditors for consolidated school. (6) There shall be two auditors for every consolidated school, one of whom shall be appointed by the trustees and the other by the inspector. 1920, c. 100, s. 83.

Duties of auditors. **84.**—(1) It shall be the duty of the auditors to examine into and decide upon the accuracy of the accounts of the section, and whether the board has duly expended for school purposes and accounted for the moneys received by it, and to submit the accounts with a full report thereon at the next annual school meeting.

Differences between auditors. (2) Any difference of opinion between the auditors on any matter in the accounts shall be decided by the inspector.

Report of objections. (3) If both auditors object to the lawfulness of any expenditure they shall report the matter to the annual meeting, and shall submit it to the Minister whose decision shall be final. 1920, c. 100, s. 84.

Powers of auditors. **85.** The auditors or either of them may require the attendance of all persons interested in the accounts, and of their witnesses, with such books, papers, and documents as the

auditor or auditors may direct, and may administer oaths to such persons and witnesses. 1920, c. 100, s. 85.

86. An auditor who has entered upon an audit may complete the same although he has not done so within the time prescribed by this Act. 1920, c. 100, s. 86. May complete audit after time prescribed.

DUTIES OF TEACHERS.

87. It shall be the duty of every teacher:

- (a) To teach diligently and faithfully the subjects in the public school course of study as prescribed by the Regulations; to maintain proper order and discipline in the school; to encourage the pupils in the pursuit of learning; to inculcate by precept and example, respect for religion and the principles of Christian morality and the highest regard for truth, justice, loyalty, love of country, humanity, benevolence, sobriety, industry, frugality, purity, temperance and all other virtues; Instruction and discipline.
- (b) To use the English language in instruction and in all communications with the pupils in regard to discipline and the management of the school, except where it is impracticable to do so by reason of the pupil not understanding English, but recitations requiring the use of a text-book may be conducted in the language of the text-book; Use of English language.
- (c) To see that the school house is ready for the reception of pupils at least fifteen minutes before the time of opening in the morning and five minutes before the time of opening in the afternoon; to call the roll every day according to the register prescribed by the Regulations; to enter in the visitors' book visits made to the school; to give the inspector, trustees and visitors access at all times to the register and visitors' book; and to deliver the register, the school-house key and other school property in his possession to the board on demand, or when his agreement with the board has expired, or when for any reason his engagement has ceased; Duties in and about the school house, registers, etc.
- (d) To classify the pupils according to the courses of study prescribed by the Regulations; to conduct the school according to a time-table accessible to pupils and visitors; to prevent the use by pupils of unauthorized text-books in the school; to attend regularly the teachers' institutes in the inspectorate; to notify the board and the inspector of his absence from school and of the cause thereof; and to make Classification of scholars and conduct of classes.

at the end of each school term, and subject to revision by the inspector, such promotions from one class or form to another as he may deem expedient;

Examina-
tions.

- (e) To hold closing exercises of the school and to give due notice thereof to the board, to any school visitors who reside in the school section, and through the pupils to their parents or guardians, and to hold such examinations as may be required by the inspector for the promotion of pupils or for any other purpose as the inspector may direct;

Informa-
tion for
Minister
and
inspector.

- (f) To furnish to the Minister and to the inspector any information which it may be in his power to give respecting the condition of the school premises, the discipline of the school, the progress of the pupils and any other matter affecting the interests of the school, and to prepare such reports of the board as are required by the Regulations;

Care of
health of
pupils.
Preserva-
tion of
school
property.

- (g) To give assiduous attention to the health and comfort of the pupils; to the cleanliness, temperature and ventilation of the school house; to the care of all maps, apparatus and other school property; to the preservation of shade trees and the orderly arrangement and neat appearance of the playgrounds, and to report promptly to the board and to the municipal health officer or to the school medical officer where one has been appointed, when he has reason to suspect the existence of any infectious or contagious disease in the school, or the unsanitary condition of the school house, outhouses or surroundings;

Infectious
diseases
among
pupils.

- (h) To refuse admission to the school of any pupil who he believes is affected with or exposed to chicken-pox, smallpox, cholera, glanders, scarlet fever, scarlatina, diphtheria, whooping cough, measles, mumps or other infectious or contagious disease, or consumption until furnished with a certificate of a medical officer of health or of a duly qualified medical practitioner approved by him that all danger from exposure to contact with such pupil has passed;

Discip-
linary
powers.

- (i) To suspend any pupil guilty of persistent truancy, or persistent opposition to authority, habitual neglect of duty, the use of profane or improper language, or conduct injurious to the moral tone of the school, and to notify the parent or guardian of the pupil and the board of such suspension, but the parent or guardian of any pupil suspended may

appeal against the action of the teacher to the board which shall have power to remove, confirm or modify such suspension. 1920, c. 100, s. 87.

88. A teacher who refuses to deliver to the board any visitors' book, school register, schoolhouse key or any other school property in his possession shall not be a qualified teacher until restitution is made, and he shall also forfeit any claim which he may have against the board. 1920, c. 100, s. 88.

Refusal to give up key, etc.

CHANGE OF AUTHORIZED TEXT-BOOKS.

89. An authorized text-book in actual use may be changed by the teacher for any other authorized text-book on the same subject with the written approval of the board and subject to the Regulations. 1920, c. 100, s. 89.

Change of text-book.

AGREEMENTS.

90.—(1) Every agreement between a board and a teacher shall be in writing signed by the parties thereto and sealed with the seal of the board.

Valid agreements with teachers.

(2) No person shall be employed or act as a teacher unless he holds a certificate of qualification.

Qualified teacher defined.

(3) Unless otherwise expressly agreed a teacher shall be entitled to be paid his salary in the proportion which the number of days during which he has taught bears to the whole number of teaching days in the year.

Proportion of salary to which teacher entitled.

(4) Every teacher shall be entitled to his salary notwithstanding his absence from duty on account of sickness for a period not exceeding four weeks in any one year of his employment if the sickness is certified to by a physician, or in a case of acute inflammatory condition of the teeth or gums by a licentiate of dental surgery, but the period of four weeks may in any case of sickness be allowed and extended at the pleasure of the board without a certificate.

Cases of sickness or dental treatment.

(5) If at the expiration of a teacher's engagement his salary has not been paid in full the salary shall continue to run at the rate mentioned in the agreement until paid, if an action to recover it is commenced within three months after the salary is due and payable.

Protection of teachers in regard to salary.

(6) All matters of difference between boards and teachers in regard to salary or other remuneration whatever may be the amount in dispute shall be determined in the division court of the division where the cause of action arose, subject to appeal, as provided by this Act.

Provision in case of difference between teacher and trustees.

When judge
may relieve
board from
extra
liability.

(7) If it appears to the judge on the trial of an action for the recovery of a teacher's salary that there was reasonable ground for the board disputing its liability, and that it was willing and offered to pay to the teacher any sum not so in dispute, the judge may relieve the board from the liability imposed by subsection 5, in whole or in part. 1920, c. 100, s. 90.

TEACHERS' CERTIFICATES.

Several
classes of
certificates.

91.—(1) Any British subject of good moral character and physically fit to perform the duties of a teacher, may be awarded a certificate of qualification as a teacher upon passing the examinations prescribed by the Regulations.

Former
certificates
continued.

(2) Certificates granted before the 15th of February, 1871, shall remain in force according to the terms of the Act under which they were granted.

First-class
valid.

(3) First-class certificates issued before the 15th day of February, 1871, and valid on the 24th day of March, 1874, shall be valid throughout Ontario during good conduct.

Second-
class
valid.

(4) Second-class certificates issued before the 15th day of February, 1871, and valid on the 24th day of March, 1874, shall, if the holders thereof have taught for ten years in Ontario, be valid during good conduct within the territory for which they were granted.

Term of
certificates
generally.

(5) All other certificates shall be valid for such periods as the Regulations prescribe.

Suspension
of certifi-
cate for
misconduct,
etc.

(6) The inspector may suspend the certificate of any teacher in his inspectorate for inefficiency, misconduct, or a violation of this Act or of the Regulations or for wilful neglect or refusal to carry out his agreement with a board, and he shall give notice in writing to the Minister, to the board concerned and to the teacher of such suspension and of the reasons therefor.

Appeal to
Minister.

(7) The teacher may appeal to the Minister who may make such order or orders with regard to the suspension as he deems proper. 1920, c. 100, s. 91.

TEACHER'S INSTITUTES.

Organiza-
tion of
teachers'
institutes.

92.—(1) Subject to the Regulations, teachers may organize themselves into teachers' institutes for the purpose of receiving instruction in methods of teaching and for discussing educational methods.

(2) The Minister may out of any money appropriated for that purpose apportion \$25 to each teachers' institute so organized and conducted according to the Regulations where the number of teachers in an inspectorate or united inspectorate is one hundred or less, and where it is more than one hundred, \$25 for each additional one hundred or portion thereof, and the council of each county, city, or separated town, or town in territory without county organization shall pay annually to the president of each teachers' institute established within such county, city, or town a sum at least equal to the amount so apportioned.

Aid to teachers' institutes by the Legislature and equivalent from municipalities.

(3) If the teachers in an inspectorate composed of a city and part of a county are united in one teachers' institute, the corporation of each municipality shall pay its share of the equivalent of the legislative grant in the proportion that the number of teachers in each inspectorate bears to the total number of teachers in the combined inspectorates.

City and county sharing.

(4) In territory without county organization the Minister may apportion \$50 to each teachers' institute where there is no city or town council liable for such contribution. 1920, c. 100, s. 92.

In the districts.

LEGISLATIVE AND MUNICIPAL GRANTS.

93.—(1) With respect to all moneys received by him from the county treasurer a township treasurer shall be a sub-treasurer of the county treasurer, but the county council may by by-law constitute the county treasurer the sub-treasurer for municipalities not separated from the county.

Who to be sub-treasurer.

(2) The treasurer of the school board of each city and separated town shall receive the government grants apportioned to the city or town and shall hold the same for school purposes subject to the order of the board.

Treasurers of cities and separated towns to receive grants.

(3) The treasurer and sub-treasurer and their sureties shall be accountable for school moneys to the county, city or town, as the case may be, and any bond or security given by a treasurer or sub-treasurer for duly accounting for and paying over moneys coming into their hands shall apply to school moneys, and may be enforced against the treasurer or sub-treasurer or his sureties in case of default on his or their part. 1920, c. 100, s. 93.

Responsibility of treasurer and sureties.

94.—(1) The treasurer of every county except where he acts as sub-treasurer also shall pay to the treasurer of every township within the county the legislative grant apportioned to the rural public and separate schools within the township.

County treasurer to pay legislative grant to township treasurers.

Township
treasurer's
duties as to
grants.

(2) The township treasurer shall pay to the boards of the rural public and separate schools within the township the amount of the legislative grant apportioned to such schools respectively.

Where
county
treasurer
is sub-
treasurer.

(3) Where the county treasurer acts as sub-treasurer also he shall perform the duty which is by subsection 2 to be performed by a township treasurer.

Statement
to be sent
with grant.

(4) A statement showing the amount of the legislative grant apportioned to the school shall be sent to every board by the sub-treasurer or the township treasurer as the case may be.

Payment
on inspec-
tor's war-
rant.

(5) The payments to the boards under this section shall be made on the warrant of the proper inspector. R.S.O. 1920, c. 100, s. 94.

County rate
in aid of
schools.

95.—(1) The council of every county shall levy and collect by an equal rate upon the taxable property of the whole county, according to the equalized assessments of the municipalities, a sum at least equal to that part of the legislative grant for public and separate school purposes which is apportioned by the Minister on the basis of the equipment and accommodations of the rural schools of the county, including portions of union school sections and such sums shall be payable to the boards of the schools receiving such legislative grant in the same proportions as such grant is apportioned.

County to
raise
equivalent
to legisla-
tive grant
for fifth
classes.

(2) The council of every county shall levy and collect an annual rate upon the taxable property of the whole county, according to the equalized assessments of the municipalities a sum at least equal to that part of the legislative grant for public and separate school purposes which is apportioned to the schools in the municipality for fifth classes, and such sum shall be payable to the boards of the schools receiving such legislative grant in the same proportion as such grant is apportioned. 1920, c. 100, s. 95 (1, 2).

Apportion-
ment where
section in
two or more
counties.

(3) In case of a union school section composed of parts of two or more counties the council of each county shall pay a proportion of the whole sum required to be paid under subsections 1 and 2 which bears the same ratio to that sum as the assessed value of the part of the section in the county bears to the assessed value of the whole section, such assessed value to be according to the last revised assessment rolls of the local municipalities in which the section is situate. 1920, c. 100, s. 95 (3); 1924, c. 82, s. 12.

Apportion-
ment of
school
moneys in
united
counties.

(4) The county council of two or more counties united for municipal purposes may apportion the amount to be levied for public school purposes so that each county forming the union shall be liable only for sums payable in respect of public

and separate schools within such county. 1920, c. 100, s. 95 (4).

96.—(1) The council of each township in a county shall each year levy and collect by assessment upon the taxable property of the public school supporters of the whole township, not included in an urban municipality or annexed to an urban municipality for school purposes, at least the sum or sums set forth below for every public school where a teacher or a principal teacher is engaged for two consecutive terms and the additional sums set forth below where an assistant teacher is engaged for two consecutive terms:—

Township
grant
towards
teachers'
salaries.

- (a) Where according to the equalized assessments the assessed value of all the taxable property of the public school supporters in such a township is at least equal to an average assessment of \$100,000 for each section therein, the sum of \$600 at least for every principal teacher and the additional sum of at least \$400 for every assistant teacher;
- (b) Where such assessed value is at least equal to an average assessment of \$60,000, but is less than an average assessment of \$100,000, for each section, at least \$500 for each principal and \$350 for each assistant;
- (c) Where such assessed value is at least equal to an average assessment of \$40,000, but is less than an average assessment of \$60,000, the sum of \$400 at least for each principal and \$300 for each assistant;
- (d) Where such assessed value is at least equal to an average assessment of \$30,000 but is less than an average assessment of \$40,000, the sum of at least \$300 for each principal and \$200 for each assistant;
- (e) Where such assessed value is below an average assessment of \$30,000 the sum of at least \$150 for each principal and \$100 for each assistant teacher;
- (f) Where a teacher or principal teacher is engaged for one school term or longer, but for less than two consecutive school terms, a proportionate amount of the sums set forth above shall be levied and collected for every principal and every assistant teacher.

(2) In a township in territory without county organization, whatever its assessment may be, the council of the township shall each year levy and collect as aforesaid the sum of \$150 at least for every school where a teacher or principal teacher

In town-
ships in the
districts.

is engaged for two consecutive school terms, and a proportionate part of such sum where a teacher or principal teacher is engaged for one school term or longer, and an additional sum of at least \$100 for every assistant teacher engaged for two consecutive school terms, and a proportionate amount of such sum where such assistant teacher is engaged for one school term or longer.

Application of township grant to teachers' salaries.

(3) The sums so levied and collected shall be applied exclusively to teachers' salaries. 1920, c. 100, s. 96 (1-3).

Township grants to union school sections.

(4) In the case of a union school section formed of parts of townships the sums mentioned in subsections 1 and 2 shall be paid by the respective township councils in proportions to be fixed in accordance with the provisions of section 28. 1920, c. 100, s. 96 (4); 1921, c. 89, s. 9.

Abatement of amounts proportionately.

97. Where part of the salary of a teacher in a rural school for any reason does not become payable or is withheld from him under the provisions of this Act, the sums payable respectively by the county, the township or townships, and the rate-payers and out of the legislative grant, on account of such salary, shall abate in the proportions in which they were respectively liable for the whole. 1920, c. 100, s. 97.

Amounts required to be raised to be paid over as required.

98. All moneys required to be levied and collected and applied to the salaries of teachers shall be paid to the treasurers of the respective boards from time to time as may be required by them. 1920, c. 100, s. 98.

Consolidated schools.

99.—(1) Subject to the provisions of *The Consolidated Schools Act*, the provisions of sections 95 to 97 shall apply to consolidated schools, but the amount of the township grant provided for by section 96 shall not be less than the total amount which would be paid to the boards of trustees of the school sections included in the consolidated school section had the sections not been consolidated, and if more teachers are employed in the consolidated school than were employed in the school sections, the grant shall be as for a principal teacher for each school consolidated, and as for an assistant teacher for each teacher in excess of the number of teachers employed in the sections at the time when consolidation took place. 1920, c. 100, s. 99.

Distribution of township grant on division of sections on forming consolidated school.

(2) Where upon the formation of a consolidated school section a public school section has been divided and each of the provisional sections so formed has become a part of a consolidated school section, the township grant for the public school section divided shall be apportioned between the consolidated school sections according to the assessment of each of the provisional sections.

(3) Where one of the provisional sections becomes part of a consolidated school section and the remaining provisional section is continued as an independent section the whole of the township grant shall be paid to such independent section until it becomes part of a consolidated school section and thereupon the grant shall be distributed as provided in subsection 2.

(4) Where a provisional section which has not been included in a consolidated school section ceases to remain an independent section and becomes a part of an adjoining school section by rearrangement of boundaries or by the formation of a union school section, the township grant formerly paid to the school section of which the provisional section formed a part shall be paid to the consolidated school section, or if more than one consolidated school section has been formed the township grant shall be apportioned to each of such consolidated school sections as provided in subsection 2. 1921, c. 89, s. 10.

(5) Where a consolidated school section includes an urban municipality the consolidated school section shall not share in the township grant to be levied and applied under section 96, and the portion of the township included in the consolidated school area shall be exempt from taxation for the purpose of raising the amount necessary for the payment of such township grant. 1922, c. 98, s. 15.

INSPECTORS.

Number. Limits of Inspectorates.

100.—(1) The Minister shall determine the number of inspectors to be appointed in every county, city or separated town, and thereafter whenever he deems it expedient may direct the appointment of additional inspectors in a county or city.

(2) Where the council of a county, or the board of education or the board of public school trustees of a city or separated town fails to appoint the number of inspectors which the Minister has determined that there should be appointed from the county, city or separated town, the Minister may appoint them; and the salary and expenses of any inspector so appointed shall be provided for and paid in the same manner as if he had been appointed by the council or school board.

(3) No such appointment shall be made by the Minister until, in the case of a county, one month after the first meeting of the council after notice of the determination of the Minister, and, in the case of a city or separated town, within one month after the first meeting of the school board after such notice.

Where two inspectors appointed for a county or city.

(4) Where more inspectors than one are to be appointed for a county or for a city, the county council or the board of education or board of public school trustees, as the case may be, shall, subject to the approval of the Minister, define the limits of the inspectorate of each inspector, or in the case of a city may, subject to the like approval, assign such duties in addition to those prescribed by the Regulations to each inspector as the board may deem expedient.

Duties assigned to inspector.

(5) There shall not, without the consent of the Minister, be assigned to an inspector the duty of making a greater or a less number of visits of inspection than the number of such visits which according to the Regulations may be assigned to one inspector.

Provision for uniting for inspection whole or part of county, city, or separated town with adjacent county or part of it.

(6) Where in a county, city or separated town there are more or less than the number of schools, the inspection of which according to the Regulations should be assigned to the inspector or inspectors, an agreement may be made, with the approval of the Minister, for uniting for the purposes of inspection the whole or part of such county, city or separated town with an adjacent county or part of it; and where that is done the councils or school boards of the municipalities which have entered into the agreement shall provide for dividing the parts so united into inspectorates, the schools in each of which shall require the number of visits of inspection which according to the Regulations may be assigned to one inspector, unless the Minister sanctions a variation therefrom and shall assign an inspector to, or appoint an inspector for, each of such inspectorates, and shall determine the proportion in which the salaries and expenses of the inspectors shall be paid by each corporation and school board, and the same shall be payable and shall be paid accordingly.

Where impracticable to form such inspectorates.

(7) Where, owing to the number of schools, it is impracticable to form inspectorates in accordance with the provisions of the next preceding subsection as many inspectorates as it is practicable to form may be formed if provision is made for the inspection of such of the schools as are not included in any inspectorate by an inspector of an adjacent county, city or separated town.

Provision for proportion of time to be given to each school and the payment.

(8) Where provision is made for such inspection by an inspector of an adjacent county, city or separated town, the councils or school boards which enter into an agreement for that purpose shall, subject to the approval of the Minister, provide by agreement as to the proportion of the time of the inspector which shall be given to the schools in each of the municipalities and the proportion of his salary and expenses which shall be borne by each corporation and school board, and the same shall be payable and be paid accordingly.

(9) Where in the case to which subsection 6 applies no agreement is made under the provisions of the foregoing subsections before a day to be fixed by the Minister, the Minister may exercise any of the powers which might have been exercised by the council of the county or by the school board and may rearrange the inspectorates and assign or appoint inspectors to them or make provision for the inspection of any of the schools within the county, city or separated town by an inspector of a district or of another county, city or separated town, or the Minister may appoint an inspector or inspectors for the purpose of inspecting such schools.

Where no agreement made Minister may rearrange inspectorates.

(10) Where the power conferred upon the Minister by the next preceding subsection is exercised and the inspector of a district or of another county, city or separated town is appointed, the proportion of his time which shall be given to the schools in each county, city or separated town shall be determined by the Minister, and the proportion of his salary and expenses which shall be borne by each corporation and school board shall also be determined by him, and the same shall be payable and be paid accordingly.

Where such power exercised proportion of time and of salary to be determined by Minister.

(11) Where the Minister, under the powers conferred by subsection 9, appoints a new inspector the Minister shall fix the proportions of his salary and expenses which shall be paid by the corporation of the county and the school board of the city or separated town in respect of the schools in such county, city or separated town the inspection of which is assigned to such inspector, and the same shall be payable and be paid accordingly.

Minister appointing under subsec. 9 to fix proportion to be paid by county and school board, etc.

(12) Any sum which is payable by the corporation of a county or by a school board under any of the foregoing subsections shall be provided for and paid in the same manner as if the inspector had been appointed by the corporation of the county or by the school board.

Payment by county or school board.

(13) The Minister may enter into an agreement with the council of a county that the inspector or one of the inspectors of such county shall be inspector for a district inspectorate and as to the proportion of the salary of such inspector, which shall be payable by the county and the Province respectively.

Agreement by Minister with county council.

(14) The Minister whenever he deems it necessary shall fix the limits of every district inspectorate, and shall give notice by registered letter to the secretary of every school board in the territory without county organization of the inspectorate to which the school section or other division for which the board is elected is assigned.

Minister to define inspectorate.

(15) Where a board of public school trustees or a board of education appoints an urban inspector the city or separated

Urban inspectorate.

town for which such appointment is made shall constitute an urban inspectorate.

Approval
of municipal
by-laws.

(16) Every by-law or resolution passed and every agreement entered into by a municipal council or board under this section shall be subject to the approval of the Minister.

Appointment
of special
inspector
by Minister.

(17) When owing to the requirements of the Regulations the Minister deems it expedient he may himself appoint a special inspector of public schools who shall be subject directly to his control, and whose salary and travelling expenses shall be paid by the Department of Education out of any moneys appropriated by the Legislature for the inspection of public schools. 1920, c. 100, s. 100.

Appointment.

Appointment
of inspector
by county
council.

101.—(1) The council of every county, by resolution passed at the first meeting held after being directed by the Minister to appoint an additional inspector or after a vacancy in the office of county inspector occurs, shall appoint an inspector.

Vacancy
in county.

(2) Where a vacancy occurs in the office of county inspector the warden of the county may appoint some legally qualified person to fill the vacancy until the next ensuing meeting of the county council.

Appointment
by urban
board.

(3) Where the Minister directs the appointment of an additional urban inspector or a vacancy occurs in the office of urban inspector, an inspector shall be appointed by the board by resolution passed at the first meeting held after receiving such direction or after such vacancy occurs.

Resolution
to be sent to
Minister.

(4) The clerk of the county or the secretary of the board, as the case may be, shall forthwith transmit a copy of the resolution, certified by the chairman, to the Minister by registered post.

Appointment
by Minister on
default.

(5) Where a county council for one month after such meeting or where a public school board or board of education for one month after a vacancy occurs neglects to make an appointment the same may be made by the Minister.

Ratification
of appointment
by Minister.

(6) Every appointment of a county or urban inspector shall be subject to ratification by the Minister and if not so ratified within one year after he enters upon his duties the engagement of the inspector shall terminate at the end of that period and the council or board shall appoint another inspector as provided by this Act.

(7) District inspectors shall be appointed by the Lieutenant-Governor upon the recommendation of the Minister and shall hold office during pleasure. Appointment of district inspector.

(8) Where more inspectors than one are appointed in a county or city the county council or the board may, subject to the approval of the Minister, designate one of the inspectors to be senior inspector and the senior inspector, in addition to the powers and duties of an inspector, shall have such other powers and perform such other duties as the Minister may prescribe. 1922, c. 100, s. 101. Senior inspector.

Removal, Suspension or Dismissal.

102.—(1) An inspector may be suspended or removed from office or his certificate may be cancelled by the Minister for neglect of duty, misconduct, inefficiency or physical infirmity. Grounds for dismissal.

(2) The county council or board by which an inspector is appointed may suspend the inspector for neglect of duty, misconduct, inefficiency or physical infirmity. Removal by county council or board.

(3) The clerk of the county or secretary of the board, as the case may be, shall forthwith report such suspension to the Minister in writing, with a statement of the reasons therefor, and the Minister may remove or confirm the suspension or may remove the inspector from office or cancel his certificate and the decision of the Minister shall be final. Report to Minister.

(4) The Minister may give such direction as to the payment or forfeiture of the salary of the inspector for the period of suspension as he may think just. 1920, c. 100, s. 102. Salary during suspension.

Qualifications, etc.

103.—(1) No person shall be appointed or act as an inspector of public schools who has been removed from the office of inspector by the Minister or who does not hold a certificate of qualification as prescribed by the Regulations. Qualification of inspectors.

(2) An inspector who during his tenure of office holds any other office or employment or follows any other profession or calling, except the performance of such special duties as the Minister may require, without the approval of the Minister and of the county council of the county or of the board of the city or town in which his inspectorate lies shall forfeit his office as inspector. 1920, c. 100, s. 103. Inspector shall not have any other office or employment.

104.—(1) Subject to the Regulations it shall be the duty of every public school inspector: Duties of inspectors.

- (a) To visit in every year each school room in his inspectorate having a separate register as often and for such length of time on each occasion as the Minister may direct;
- (b) To prepare a report of every such visit in the form prescribed by the Regulations;
- (c) To forward within one month after such visit a copy of every such report to the board within whose jurisdiction the school is situate;
- (d) To make a general annual report as to the performance of his duties and the condition of the schools in his inspectorate to the county council and to the board of every city or separated town included in his inspectorate or in the case of an urban inspector to the board of the city or town only;
- (e) To report to the medical officer of health of the municipality any case in which the school buildings or premises are found to be in an unsanitary condition;
- (f) To furnish the Minister with information respecting any public school in his inspectorate whenever required so to do;
- (g) To withhold his order for the amount apportioned from the legislative grant and to order the withholding of the municipal grant:
 - (i) Where any school has been kept open for less than six months in the year except where that has been caused by the school having been closed by order of the medical officer of health or local or provincial board of health on account of the prevalence of any communicable disease;
 - (ii) Where the board fails to transmit promptly the annual or other school returns properly filled up;
 - (iii) Where the board fails to comply with this Act or with the Regulations; or
 - (iv) Where the teacher uses or permits to be used as a text-book any book not authorized by the Regulations;

and in every case to report to the board and to the Minister his reasons for so doing;

- (h) To discharge such other duties as may be required by the Minister or Regulations;
- (i) On retiring from office to deliver to his successor his official correspondence and all school papers in his custody on the order of the Minister or of the council of the county in which his inspectorate lies or of the board by which he was appointed.

(2) Every inspector shall be directly responsible to the Minister for the due performance of his duties and, subject to the Regulations, shall obey the direction of the county council in the case of a county inspector and of the board in the case of an urban inspector.

Inspector to be responsible to Minister.

(3) Where an inspector requires the testimony of a witness as to any fact alleged in any complaint or appeal made to him or to the Minister he may administer an oath to the witness and he shall have the like power to take evidence and to enforce the attendance of witnesses and the production of documents as a court has in civil cases. 1920, c. 100, s. 104.

Power to administer oaths.

Salaries.

105.—(1) In and for the year 1920, and as from the 1st day of January, 1920, and in and for every subsequent year there shall be paid to every county inspector an annual salary of \$3,000.

Salaries of inspectors.

(2) Of the annual salary of every county inspector the county council shall pay to the inspector, in monthly instalments, the sum of \$1,200, and the remainder of the salary shall be payable by the Treasurer of Ontario to the inspector in monthly instalments out of the moneys appropriated for that purpose.

Contributions of county and province.

(3) An agreement may be entered into by the Minister for the employment of a county inspector as inspector in a provisional judicial district, but no such agreement shall affect the amount of the annual salary payable to an inspector under this Act.

Agreement for employment in districts.

(4) The county council shall also pay to the county inspector his reasonable expenses for travelling, printing, postage and stationery, and in case of dispute the amount thereof shall be settled by the judge of the county court upon the application of the inspector or of the council and the decision of the judge shall be final.

Other expenses.

Office accommodation, furniture, etc.

(5) The county council shall also provide the inspector with necessary office accommodation and furniture and clerical assistance, and in case of any difference between the county council and the inspector as to what is necessary the matter in dispute may be determined by the judge of the county court whose decision shall be final.

Salaries of urban inspectors.

(6) The salary of an urban inspector shall be fixed by the board of public school trustees or board of education, of the city or town, and shall be payable by the treasurer of the board.

Contribution from Province.

(7) Out of such moneys as may be appropriated for that purpose the Treasurer of Ontario shall annually pay in the month of December to the board of the city or separated town the sum of \$6 for every teacher occupying a separate room with a separate register and the amount so paid shall be applied towards the payment of the salary of the inspector.

District inspectors.

(8) The salaries and travelling and other expenses of district inspectors shall be fixed by the Minister, and shall be paid by the Treasurer of Ontario out of any moneys appropriated for that purpose, at such times and in such manner as the Minister may direct. 1920, c. 100, s. 105.

ALLOWANCE TO ARBITRATORS AND INSPECTORS.

Arbitrators to award costs.

106. Arbitrators in making their award shall, among other things, determine the liabilities of the parties concerned for the costs of the arbitration and such determination shall be final and conclusive. 1920, c. 100, s. 106.

Allowance to arbitrators.

107. Every person other than an inspector engaged as arbitrator on any matter arising under this Act shall be paid \$4 a day and travelling expenses. 1920, c. 100, s. 107.

APPEALS FROM DIVISION COURT DECISIONS.

Appeals from Division Court judgment.

108.—(1) In an action between a teacher and a board under this Act the judge of the division court in which the action is tried may, at the request of either party, order the entering of judgment to be delayed for a sufficient time to enable such party to apply to the Minister to appeal.

Appeal by Minister.

(2) The Minister may, within one month after the rendering of judgment, appeal from the decision of the judge to a divisional court, by serving notice in writing of such appeal upon the clerk of the division court appealed from, which appeal may be entitled "The Minister of Education for Ontario, Appellant, in the matter between (*naming the parties*)."

(3) The judge shall thereupon transmit to the central office of the Supreme Court at Toronto, certified under his hand, the summons and other proceedings in the action, together with the evidence and his judgment thereon, and all objections made thereto and he shall also certify under his hand to the Minister a true copy of the summons, proceedings, evidence, judgment and objections.

Transmission of papers to Supreme Court.

(4) After service of the notice of appeal no further proceedings shall be had until the appeal has been determined.

Stay of proceedings.

(5) The divisional court shall give such order or direction to the court below touching the judgment to be given as the circumstances require, and upon receipt of such order or direction the judge shall proceed in accordance therewith.

Direction to the court below.

(6) The divisional court may also in its discretion award costs against the party on whose behalf an unsuccessful appeal is taken which shall be certified to and form part of the judgment of the court below, and such costs and any costs incurred by such party may be paid by the Minister and charged as contingent expenses of his office.

Costs.

(7) Notwithstanding anything herein contained, any party to an action in which the plaintiff claims more than \$100 shall have the same right of appeal as in an action in the division court. 1920, c. 100, s. 108.

Right of appeal.

SUPERANNUATION.

[As to rights of teachers and inspectors who have elected to take the benefit of 7 Geo. V, c. 58, see section 15 of that Act.]

109. Every teacher and inspector who is not subject to *The Teachers' and Inspectors' Superannuation Act*, and whose name was, on the 30th day of March, 1886, entered as having contributed to the fund for superannuated teachers may continue to contribute to such fund in such manner as may be prescribed by the Regulations the sum of at least \$4 annually, but no payment of arrears which accrued before the 1st day of January, 1885, shall be allowed. 1920, c. 100, s. 109.

Superannuation fund.

110. On the death of such teacher or inspector, the wife, husband or legal representative of such teacher or inspector shall be entitled to receive the amount paid into such fund by such teacher or inspector with interest at the rate of seven per cent. per annum. 1920, c. 100, s. 110.

Repayment to wife, etc., of deceased teacher.

111.—(1) Every such teacher and inspector who, while engaged in his profession, has contributed to the fund as provided by this Act, shall on reaching the age of sixty years, if he retires from the profession, receive an annual allowance

Allowance upon retirement at sixty years of age.

at the rate of \$6 per annum, or such larger rate as may be approved by the Lieutenant-Governor in Council, for every year of service in Ontario, upon furnishing evidence of good moral character, age and length of service.

Or after
thirty years
of service. (2) A teacher or inspector who has reached the age of sixty years shall not be disqualified for superannuation under this Act by reason of his having retired from active service before reaching that age if he has served for a period of thirty years.

Retirement
through
disability. (3) Every teacher and inspector under sixty years of age who has so contributed and who is disabled from practising his profession shall be entitled to a like annual allowance upon furnishing evidence as to length of service, moral character, and disability.

Extra
allowance
to certain
teachers (4) Every superannuated teacher and inspector who holds a first or second-class provincial certificate, or a first-class county board certificate, and every principal of a high school or collegiate institute shall be entitled to receive a further allowance at the rate of \$1 per annum for every year of service while he held such certificate or while he acted as principal of a high school or collegiate institute.

When
allowance
to cease. (5) The retiring allowance shall cease at the close of the year in which the death of the recipient takes place.

Teacher
resuming
profession. (6) If a superannuated teacher or inspector, with the consent of the Minister, resumes the profession of a teacher or inspector, his allowance shall be suspended during the time he is so engaged, and if he is again placed on the superannuation list an allowance for the additional time of service shall be made on compliance with this Act and the Regulations.

Again
retiring.

Forfeiture
of claims. (7) A teacher or inspector who, having resumed his profession, wilfully draws or continues to draw upon the superannuation fund shall forfeit all claim to the fund and his name shall be struck off the superannuation list.

Repayment
to con-
tributors. (8) A teacher or inspector who retires from the profession, or who desires to remove his name from the list of contributors to the superannuation fund shall be entitled to receive back one-half of any sum contributed by him to the fund.

Teachers
not
availing
themselves
of Act. (9) Where a teacher or inspector does not avail himself of the provisions of section 109 or of subsection 8 of this section, the provisions of section 110 and subsections 1 to 7 of this section shall apply so far as relates to all sums already paid by him into the superannuation fund.

(10) The foregoing provisions of this section shall not apply to a teacher or inspector who has elected, as provided by *The Teachers' and Inspectors' Superannuation Act*, to become a contributor to the fund established under that Act. 1920, c. 100, s. 111.

Teachers and inspectors electing to be subject to 7 Geo. V, c. 58.

NOTE.—As to power of board to receive gifts, devises, bequests, see *The Mortmain and Charitable Uses Act*, R.S.O. 1914, c. 103, s. 14.

111a. A teacher or inspector who at the time of the coming into force of *The Teachers' and Inspectors' Superannuation Act* was a contributor to the fund dealt with in sections 109 to 111 and who elected to become subject to the provisions of the said Act may upon making application for superannuation under the said Act, give notice in writing to the Commission administering the Teachers' and Inspectors' Superannuation Fund abandoning any claim to the additional allowance provided for in clause *f* of section 11 of the said Act, and in that case he shall be entitled to be paid out of any funds provided for the payment of allowances under sections 109 to 111 the full amount of his contributions under the said sections, or under any provisions for which the same were substituted, and the said clause *f* shall cease to be applicable to him. 1925, c. 78, s. 25.

Right to refund contributions to Ryerson Fund.

112. Where a teacher, inspector or officer of a board whose time is entirely devoted to the work of the board retires, having reached the age of sixty years, or after having been for twenty years in the service of the board, the board, in the case of a teacher, city inspector or other officer, and the county council in the case of a county inspector, may grant him an annual allowance not exceeding the salary which he was receiving at the time of retirement, or may make a grant to him by way of gratuity of a sum not exceeding the present value of such annual allowance computed on the basis of interest at the rate of four per centum per annum. 1920, c. 100, s. 112.

Retiring allowance to teachers, officers and inspectors.

INSTRUCTION IN AGRICULTURE, MANUAL TRAINING AND HOUSEHOLD SCIENCE.

113.—(1) The council of a township may engage the services of a person holding the degree of Bachelor of the Science of Agriculture or other certificate of qualification from the Ontario Agricultural College and approved of by the certificate of the Minister, or of an instructor qualified as required by the Regulations to give instruction in agriculture, manual training and household science in the public schools of the municipality; and the council may levy and collect from the ratepayers of such municipality who are public

Engagement of instructor in agriculture by township council.

school supporters such sums as may be necessary to pay the salaries of such instructors and all other expenses connected therewith.

Courses of instruction. (2) The courses of instruction shall be those prescribed by the Regulations.

Engagement by board. (3) The board of a rural school section or of a union school section or a number of such boards may severally or jointly engage the services of any person qualified as provided in subsection 1 for the purpose of giving similar instruction to the pupils of their respective schools.

Course in agriculture to be open to all residents. (4) The courses of instruction in agriculture, manual training and household science shall, as far as practicable, be open to all residents of the school section or municipality. 1920, c. 100, s. 113.

Manual training and domestic science classes in urban schools. **114.**—(1) The high school board, the public school board and the separate school board, or the board of education and the separate school board or any of such boards in a city, town or village may enter into agreements with one another for the formation and carrying on of classes for instruction in agriculture, manual training and household science in connection with the work of the schools under the management of such boards, and for providing suitable buildings, apparatus and appliances for carrying on such classes and the appointment of teachers therefor, and the proportion in which the cost thereof is to be borne by each board.

Management under committee. (2) The boards may delegate the management and control of such classes and the buildings, apparatus and appliances used in connection therewith to such committee or committees as they may see fit, composed of members of such boards or of one or more of them, and such committees may if the cost thereof has been included in the estimate mentioned in subsection 4 procure from time to time such buildings, apparatus, appliances and material as may be deemed necessary for carrying on such classes, and may engage teachers therefor.

Duration of office. (3) The members of any such committee shall hold office during the pleasure of the board by which they are appointed.

Providing for cost of instruction. (4) The committees shall annually, on or before the 1st day of February, furnish to each board an estimate of the amount required for carrying on such classes during the then current year, and the boards shall include in the estimates to be furnished to the council of the city or town the proportion of the amount so required which is to be provided by the board, and the same shall be included in the school rates of the municipality and levied and collected therewith. 1920, c. 100, s. 114.

OFFENCES AND PENALTIES.

115. If a teacher negligently or wilfully permits an unauthorized book to be used as a text-book by the pupils of his school the Minister, on the report of the inspector, may suspend such teacher, and the board may also deduct from his salary a sum equal to so much of the legislative grant as has been withheld on account of the use of such book or any less sum at its discretion. 1920, c. 100, s. 115.

116. Any person who wilfully makes a false declaration of his right to vote at a school meeting or at an election of trustees shall incur a penalty of not less than \$5 and not more than \$10. 1920, c. 100, s. 116.

117. A trustee who refuses to serve after being duly elected with his own consent shall incur a penalty of \$5, and a person elected as a trustee who as such attends any meeting of the board after becoming disqualified shall incur a penalty of \$20 for every meeting so attended. 1920, c. 100, s. 117.

118. Every person elected as trustee who has not refused to accept the office and who at any time refuses or neglects to perform its duties shall incur a penalty not exceeding \$20. 1920, c. 100, s. 118.

119. A trustee shall not be eligible for appointment as public school inspector or teacher, nor shall the teacher of a high, public or separate school hold the office of public school trustee, nor shall an inspector be a teacher or trustee of a high, public or separate school while he holds the office of inspector. 1920, c. 100, s. 119.

120. If a trustee is convicted of any indictable offence or becomes insane or, without being authorized by resolution entered upon the minutes, absents himself from the meetings of the board for three consecutive months, or ceases to be a resident within the municipality, or in the case of a city within one mile of the city or within the school section for which he is a trustee, he shall *ipso facto* vacate his seat, and subject to the provisions of subsection 2 of section 66, the remaining trustee or trustees shall declare his seat vacant and forthwith order a new election. 1920, c. 100, s. 120.

121.—(1) A trustee shall not enter into any contract, agreement, engagement or promise, either in his own name or in the name of another, and either alone or jointly with another in which he has any pecuniary interest, profit or promised or expected benefit with the board of which he is a member, or have any pecuniary claim upon or receive compensation from the board for any work, engagement, em-

ployment or duty on behalf of the board, and every such contract, agreement, engagement or promise shall be null and void, and a trustee violating the provisions of this section shall *ipso facto* vacate his seat.

When seat
may be
declared
vacant.

(2) On the complaint of two ratepayers of the municipality or section or of the remaining trustee or trustees, the judge of the county or district court shall, on proof of the facts, declare the seat vacant, and, subject to the provisions of subsection 2 of section 66, the remaining trustee or trustees shall forthwith order a new election.

Exception.

(3) Nothing in this section shall prevent a trustee receiving payment as provided by section 36 or prevent the board of a rural section from allowing the secretary or treasurer such compensation for his services as may be approved at the annual meeting or at a special meeting of the ratepayers and duly entered in the minutes. 1920, c. 100, s. 121.

Newspaper
proprietors
inserting
official
advertisements
not
disqualified
from sitting
on boards,
etc.

122. No person shall be disqualified from being a member of a board, or from sitting and voting on such board by reason only of his being proprietor of or otherwise interested in a newspaper or other periodical publication subscribed for by the board or in which an advertisement is inserted in the regular course of business if such advertisement or subscription is paid for at the usual rate, but such member shall not be entitled to vote where his own account is in question. 1920, c. 100, s. 122.

Penalty for
disturbing
a school
or school
meeting.

123. Any person who wilfully interrupts or disquiets the proceedings of a school meeting, or a public school, by acting in a disorderly manner, or by making a noise either within the place where such meeting is held or such school is kept or so near thereto as to interfere with the proceedings of the meeting or order of exercises of the school shall for each offence incur a penalty not exceeding \$20. 1920, c. 100, s. 123.

Penalty for
chairman
neglecting
to report to
inspector.

124. A chairman who neglects to transmit to the inspector a minute of the proceedings of any annual or other rural school meeting over which he has presided within ten days after the holding of such meeting shall incur a penalty not exceeding \$5. 1920, c. 100, s. 124.

Liability
for neglect
to take
security.

125. If a board refuses or neglects to take proper security from the treasurer or other person to whom it entrusts school moneys and any school moneys are forfeited or lost to the municipality, section or board in consequence of such refusal or neglect every member of the board shall be personally liable for such moneys, and the same may be recovered by the board or any ratepayer interested therein suing on behalf of himself and all ratepayers of the municipality or section interested in any court of competent jurisdiction; but no

member shall be liable if he proves that he made reasonable efforts to procure the taking of such security. 1920, c. 100, s. 125.

126. A secretary or a treasurer, and a person having been such secretary or treasurer, and a trustee or other person who has in his possession any book, paper, chattel, or money which came into his possession as such secretary, treasurer, trustee or otherwise shall not wrongfully withhold, or neglect or refuse to deliver up, or account for and pay over the same or any part thereof to the person and in the manner directed by the board or by other competent authority. 1920, c. 100, s. 126.

Secretary-treasurer or trustee, refusing to deliver up books and moneys.

127.—(1) Upon application to a judge of the county or district court by the board or by two ratepayers supported by affidavit showing such wrongful withholding or refusal, the judge may summon such secretary, treasurer, trustee or person to appear before him at a time and place appointed by him.

Summons for appearance.

(2) Any bailiff of a division court, upon being requested so to do shall serve the summons or a true copy thereof on the person complained against personally, or by leaving the same with a grown-up person at his residence.

Service of summons.

(3) At the time and place so appointed the judge, being satisfied that service has been made, shall in a summary manner and whether the person complained against does or does not appear, hear the complaint, and if he is of opinion that it is well founded the judge shall order the person complained against to deliver up, account for and pay over such book, paper, chattel or money by a day to be named by the judge in the order, together with such reasonable costs incurred in making the application as the judge may allow.

Hearing of complaint and order thereon.
Order to account.

(4) In the event of non-compliance with the order the judge may order the person complained against to be forthwith arrested by the sheriff of any county or district in which he may be found, and to be committed to the common gaol of the county in which he resides, there to remain without bail until the judge is satisfied that he has delivered up, accounted for or paid over the book, paper, chattel or money, in the manner directed by the board or other competent authority.

Effect of non-compliance with judge's order.

(5) Upon proof of his having so done the judge shall make an order for his discharge and he shall be discharged accordingly.

Discharge on compliance with order.

(6) Upon proof that such person has done all in his power to deliver up, account for or pay over such book, paper, chattel or money as directed the judge may order his discharge on such terms or conditions as he may deem just.

Discharge on terms.

Other
remedy not
affected.

(7) Such proceedings shall not impair or affect any other remedy which the board or any other person may have against the person complained against or against any other person. 1920, c. 100, s. 127.

Compelling
delivery of
books, etc.,
on dissolu-
tion of
school
corporation.

128.—(1) Sections 126 and 127 shall apply to the case of any person who has in his possession any book, paper, chattel or money, which came into his possession as secretary, or treasurer, or trustee, or otherwise of a board of trustees of a school section or urban municipality, which has been dissolved by reason of the annexation of such school section or urban municipality to a city, and every such person shall deliver up, account for and pay over every such book, paper, chattel and all such money to the person and in the manner directed by the board of education, the board of public school trustees or other competent authority in the city to which such school section or urban municipality has been annexed, and in default of his so doing, proceedings may be taken against him by the urban board, or by two ratepayers of the city, in the same manner as in the case provided for by section 127, and that section shall *mutatis mutandis* apply.

Application
of subs. 1.

(2) Subsection 1 shall apply to every person who has received from such secretary, treasurer, trustee, or other person any book, paper, chattel or money which, by subsection 1, it is declared to be the duty of such secretary, treasurer, trustee or other person to deliver up, and the like proceedings may be taken against such first mentioned person.

Commence-
ment of
section.

(3) This section shall be deemed to have been in force since the 13th day of April, 1909. 1920, c. 100, s. 128.

Penalties on
trustees
refusing
informa-
tion, etc.,
to auditor.

129. It shall be the duty of the board and of the secretary and the treasurer to furnish the auditors with any papers or information in their or his power which may be required of them or him relating to the school accounts, and any member of the board or a secretary or treasurer who neglects or refuses so to do shall incur a penalty not exceeding \$20. 1920, c. 100, s. 129.

Penalty for
neglect to
make
returns.

130. If the board of a rural school section neglects to transmit to the inspector, in accordance with the Regulations, a correct and verified statement of the attendance of pupils in each of the schools under its charge during the twelve months then immediately preceding the section shall not be entitled to its share of the legislative grant for such twelve months, and every member of the board so neglecting shall be personally responsible for the amount of the loss of such share. 1920, c. 100, s. 130.

Penalty for
delaying
yearly
reports.

131. If the board of any school section neglects to prepare and forward such annual statement to their county inspector

by the 15th day of January in every year, each of them shall, for every week thereafter until such statement has been prepared and presented, incur a penalty not exceeding \$5. 1920, c. 100, s. 131.

132. If a trustee knowingly signs a false report, or if a teacher keeps a false school register or makes a false return, he shall, for every offence incur a penalty not exceeding \$20. 1920, c. 100, s. 132.

Penalty for false school reports and registers.

133. If a township clerk neglects or refuses to prepare and furnish the map of the school sections of his municipality as required by this Act, or if he neglects for one month to make any return required by this Act, he shall incur a penalty not exceeding \$10. 1920, c. 100, s. 133.

Clerk neglecting or refusing to perform duties.

134. If an annual or other rural school meeting has not been held for want of the proper notice, every trustee or other person whose duty it was to give the notice shall incur a penalty of \$5. 1920, c. 100, s. 134.

Penalty for not calling school meetings.

N.B.—A trustee, teacher, inspector or officer of the Department of Education, who is concerned or interested in the sale of books or supplies, and anyone employing or paying him to act as agent or otherwise, are liable to the penalties imposed by The Department of Education Act. See Rev. Stat., c. 265.

135. Where a board makes default in maintaining a public school during the whole school year or such part thereof as this Act requires every member of the board shall incur a penalty of \$5 for every week during which such default continues, unless he proves that he did everything in his power to prevent such default. 1920, c. 100, s. 135.

Penalties for not maintaining school as required by Act.

136. The penalties imposed by or under the authority of this Act shall be recoverable under *The Ontario Summary Convictions Act*, and shall be applied to such school purposes as the Minister may direct. 1920, c. 100, s. 136.

Recovery and application of penalties, Rev. Stat., c. 90.

137. *The Public Schools Act*, being chapter 266 of The Revised Statutes of Ontario, 1914, and the amendments thereto, are repealed, but this shall not apply to or affect section 16 of the said Act, as enacted by *The Consolidated Schools Act, 1919*, or any of the provisions of the said last-mentioned Act, and the same shall continue in force and be read and construed as part of this Act. 1920, c. 100, s. 137.

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The Continuation Schools Act

Revised Statutes of Ontario, 1914

Chapter 267

with Amendments thereto,
1914 to 1925 inclusive



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The Continuation Schools Act

(R.S.O. 1914, Chapter 267)

and Amendments thereto, 1914 to 1925 inclusive

An Act respecting Continuation Schools.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Continuation Schools Act*. Short title.
R.S.O. 1914, c. 267, s. 1.

2. In this Act, Interpreta-
tion.

- (a) "Maintenance" shall include ordinary repairs to the teacher's residence, the school buildings, out-houses, gymnasium, fences and school furniture, the improvement of the school grounds and the grounds attached to the teacher's residence, insurance of the school property, salaries of the teachers, officers and servants of the board, the expense of conducting entrance examinations and other expenses for ordinary school purposes and for such annual additions to the library, apparatus and other appliances as may be required by the Minister or by the Regulations, and shall also include gratuities and retiring allowances granted to teachers; "Mainten-
ance."
- (b) "Minister" shall mean Minister of Education; "Minister."
- (c) "Municipality" shall include a city, town, village or township, but not a county; "Municipi-
pality."
- (d) "Permanent improvements" shall include the purchase or rental of a residence for a teacher or of a school site, the erection or rental of a school house, the enlargement of both or either of them, changing the system of heating or ventilation, the erection of fences, outhouses and gymnasium, the purchase of school furniture, maps and apparatus, library and all other appliances required by the Regulations; "Permanent
improve-
ments."
- (e) "Regulations" shall mean the Regulations made by the Minister under *The Department of Education Act*. "Regula-
tions."
Rev. Stat.
c. 265. R.S.O. 1914, c. 267, s. 2.

Establishment of schools.

3.—(1) Subject to the Regulations and to the approval of the Minister the public school board of any municipality or school section or a separate school board may establish and maintain one Continuation School with a staff of at least one teacher engaged for his whole time.

Powers of boards.

(2) The board shall have in respect of such continuation school all the powers conferred on public or separate school boards as to acquiring a school site, erecting buildings and additions to existing buildings, and providing equipment for and paying the cost of permanent improvements, and of the maintenance of such continuation schools.

Agreements between boards for joint maintenance and establishment.

(3) Subject to the Regulations and to the approval of the Minister, agreements may be entered into by two or more public school boards or by one or more of such boards and one or more separate school boards for the establishment and maintenance of a continuation school to be conducted in some place agreed upon by the boards for the benefit of the pupils from all of such schools, and any such agreement shall specify the proportion of the cost of the establishment and maintenance of the continuation school to be paid by each of such boards or shall provide for the manner in which such proportion shall be determined.

Management of continuation school under committee.

(4) A continuation school established under subsection 3 shall be under the control and management of a committee composed of not more than two-thirds of the members of each of the boards by which it is established who shall be appointed by such boards respectively.

Committee to be a body corporate.

(5) The committee shall be a body corporate and shall be styled The Board of Trustees of the Continuation School of the
(naming the municipality or school section or sections).

Apportionment of cost in union school sections.

(6) Where the board of a union school section establishes or enters into an agreement with any other board for the establishment of a continuation school, the council of each municipality included or part of which is included in the union school section shall levy and collect upon the taxable property in the union school section within its jurisdiction its share of the expense of establishing and maintaining such continuation school according to the equalized assessment as provided by *The Public Schools Act* of the part of the union school section comprised in the municipality.

1920, c. 100.

Township grant towards salary.

(7) Subject to subsection 8, for the purposes of subsections 1 and 2 of section 93 of *The Public Schools Act* a continuation school shall be deemed a public school.

(8) Where the continuation school is established by one or more public school boards the amount to be levied and collected by the township council under section 93 of *The Public Schools Act* shall be levied upon the taxable property of the public school supporters, and where the school is established by one or more separate school boards the amount to be levied shall be levied upon the supporters of such separate schools. R.S.O. 1914, c. 267, s. 3.

Township
rates, how
to be
levied.
1920, c. 100.

4. All sums required to be provided for the support of a continuation school established under section 3, after deducting from the expenditures the legislative and county and other municipal grants, shall be provided for by a rate levied

Providing
money
required
for main-
tenance.

(a) where the school is established by the board of an urban municipality or of a public school section, or by the board of an urban municipality and one or more public school sections, or by the boards of two or more public school sections, on the property liable to assessment and taxation for public school purposes in such municipality or school section or sections;

(b) where the school is established by the board of one or more separate schools, on the property liable to assessment and taxation for separate school purposes;

(c) where the school is established by one or more public school boards and one or more separate school boards, on the property liable to assessment and taxation for public school purposes in the municipality or section or sections and on the property liable to assessment and taxation for separate school purposes, in the proportions fixed by or under the agreement for the establishment of the school. R.S.O. 1914, c. 267, s. 4.

5.—(1) No fees shall be payable by resident pupils or by county pupils or by pupils who are admitted to a continuation school under the provisions of subsections 9 and 10 of section 7.

Fees of
continua-
tion school
pupils.

(2) Pupils other than those mentioned in subsection 1 shall pay such fees as may be prescribed by the board, but such fees shall not be greater than the average cost per pupil for education in the continuation school. 1921, c. 89, s. 11.

(3) The board of any other public or separate school may agree with the board by which the continuation school is established or the board of the continuation school, as the

Payment of
lump sum
in lieu of
fees.

case may be, for the payment by such first mentioned board of a lump or other annual sum in lieu of the fees payable under subsection 2. R.S.O. 1914, c. 267, s. 5 (3).

Agreements
between
council and
continuation
school board
validated.

(4) The council of a county or of any municipality may enter into an agreement with the continuation school board of any other municipality for the payment of the whole or part of any fees imposed on non-resident pupils attending a continuation school under the control of the board of such municipality, and all agreements heretofore made by the council of a county or of any municipality for such purpose and all payments heretofore made under agreements or otherwise, are hereby validated and confirmed and declared to have been legally made. 1924, c. 82, s. 14.

Agreements
for support
of continua-
tion school
by adjoining
sections.

5a.—(1) Subject to the regulations and to the approval of the Minister, the board of any urban municipality or school section by which a continuation school is established and the board of any adjacent urban municipality or school section may enter into an agreement for the support of such continuation school by the payment of an annual fixed sum or of a proportion of the cost of establishing and maintaining such school by any or all of the boards parties to such agreement, but such agreement shall provide for the establishment and maintenance of the continuation school by and under the control of the board of the municipality or section in which the school is situate.

Agreements
validated.

(2) Any such agreement heretofore entered into and which may be approved by the Minister shall be valid and binding.

Directions
by Minister.

(3) The Minister may give such directions as he may deem proper for carrying out the true intent and meaning of the agreement and providing for any matter arising out of the agreement and not expressly dealt with therein.

Pupils from
adjoining
sections to
be county
pupils.

(4) Pupils attending the school from any municipality or school section other than the municipality or school section in which the school is established shall for the purposes of this Act be deemed county pupils.

Contribu-
tory sections
to provide
for funds.

(5) Where the board of any school section or of any municipality has entered into an agreement under this section to contribute to the cost of establishing and maintaining a continuation school in any other school section or municipality, it shall be the duty of the contributing board to include in its annual estimates the amount required for that purpose and the same shall be assessed, levied and collected upon the property liable to taxation for public school purposes in the contributing school section or municipality. 1925, c. 78, s. 20.

6. A continuation school shall not be established or maintained in a municipality in which a high school is maintained or in any other part of a high school district. R.S.O. 1914, c. 267, s. 6. No establishment where there are high schools.

7.—(1) (a) Where a by-law has been passed by the council of a county under subsection 1 of section 33 of *The High Schools Act* and while such by-law remains in force the same provisions for cost of education shall apply to the continuation schools of the county, that is to say, fifty per centum of the cost of education of resident pupils in any school shall be borne by the county and fifty per centum of such cost by the board of trustees of the continuation school, and fifty per centum of the cost of education of county pupils shall be borne by the county and fifty per centum of such cost by the municipalities in which the parents or guardians of the pupils reside. Cost of education, co-operation of county and municipality.

(b) The cost of education of resident and county pupils shall be determined as follows: The total cost per pupil per day shall be calculated by adding to the total amount expended for permanent improvements (including amounts expended in paying off debentures and in providing for the interest payable on such debentures) the total cost of maintenance of the continuation school, and subtracting from this sum the amount apportioned out of the legislative grant and any amounts received from fees and from the councils of other counties for the education of non-resident pupils, and dividing this difference by the total number of days' attendance of all pupils at the school during the year; the cost of education of resident pupils shall then be calculated by multiplying the cost per pupil per day by the total number of days' attendance of resident pupils during the year, and the cost of education of county pupils, by multiplying the cost per pupil per day by the total number of days' attendance of county pupils during the same period. Determining cost of education.

(c) Where the parties concerned do not agree as to the amount payable under clauses *a* and *b* above, the same shall be ascertained by the judge on application of either party. Arbitration by Judge.

(d) On the reference to the judge the board shall submit to him statements similar to those mentioned in clause *e* of subsection 2, certified in a similar manner, and shall furnish such further information as he may require. Information for Judge.

(2) (a) Where the council of any county has not passed a by-law under subsection 1 of section 33 of *The High Schools Act*, it shall, on or before the 15th day of December in each year pay to the boards of all continuation schools in towns not separated from the county and in villages and townships in the county for the maintenance of continuation schools Liability of county where no co-operative by-law.

without any deduction on account of fees paid for county pupils, an amount equal to that apportioned by the Minister to such continuation schools out of the legislative grant for the maintenance of continuation schools.

When
further
grant to
be made.

(b) Where the cost of education of county pupils at a continuation school exceeds the amount apportioned by the Minister and the fees received, the county shall, in lieu of the equivalent of the amount apportioned out of the legislative grant, pay to the board a sum to be calculated as follows: To eighty per centum of the total amount expended for permanent improvements (including amounts expended in paying off debentures and in providing for the interest payable on such debentures) shall be added the total cost of maintenance of the continuation school, the amount apportioned out of the legislative grant, and any sums received for fees shall then be deducted; the remainder shall be divided by the total number of days' attendance of all pupils at the school during the next preceding three years and the resulting amount shall be multiplied by the total number of days' attendance of county pupils during the same three years, and the resulting amount shall be payable by the county.

Reckoning
attendance
in case of
new school.

(c) Where a continuation school has not been in existence for three years, the attendance shall be reckoned for the period during which it has been open.

Agreement
or reference
to county
judge.

(d) The board and the county council may by agreement settle the amount to be paid by the county for the education of county pupils in any year, but if they do not agree the same shall be settled by the judge on the application of either party.

Not to
affect
county aid.

(e) No agreement or settlement so made shall affect the apportionment of county aid authorized by section 8.

Term of
award.

(f) Where a continuation school has been in existence for three years or more, an award made by the judge shall be binding for three years, and where it has not been in existence for three years, for one year only.

Statements
to be sub-
mitted on
reference.

(g) In case of a reference the board shall submit to the judge a detailed statement of all receipts and expenditures for the continuation school for each of the preceding years or a less period under consideration, which shall be certified by the auditors, and a statement certified by the chairman of the board, of the names, residences and attendance of all resident, non-resident and county pupils for each of such years or for such period, and giving a separate list with names and addresses of county pupils on whose account the demand for payment is made, and a statement, certified by the chairman, of the amount apportioned out of the legislative grant and of

all fees received during each of such years or during such period, and shall also furnish to the judge such further information as he may require.

(h) For the purposes of this section the terms "county pupils," "non-resident pupils," and "resident pupils" shall have the same meaning as in *The High Schools Act*. Meaning of "county pupils," etc.

(3) (a) Where the board of a continuation school in a separated town has notified the county clerk that the continuation school is open to county pupils on the same terms as continuation schools in municipalities not separated from the county are open to such pupils, the county council shall, on or before the 15th day of December in each year, pay a sum equal to eighty per centum of the cost of the education of such county pupils at such continuation school. Maintenance of county pupils at school.

(b) Where the board of a continuation school in a town not separated from the county or in a village or township has notified the clerk of any county adjacent to that in which the continuation school is situate, that such school is open to pupils resident in such adjacent county on the same terms as to county pupils, the council of such adjacent county shall, on or before the 15th day of December in each year, pay for the education of pupils from such county attending the continuation school a sum equal to eighty per centum of the cost of the education of pupils at such continuation school. Pupils from adjacent county.

(c) The amount payable under clauses *a* and *b* shall be ascertained as follows: The total expenditure on the continuation school shall be determined by taking the sum of the total expenditure for maintenance and the total expended for permanent improvements (including amounts expended in paying off debentures and in providing for the interest payable on such debentures) from the total expenditure thus calculated the amount apportioned out of the legislative grant, and any sum received from fees shall first be deducted; the remainder shall be divided by the total number of days' attendance of all pupils at such continuation school during the year for which payment is to be made; the resulting amount shall be multiplied by the total number of days' attendance of pupils in respect of whom the county is liable; the percentage prescribed shall then be determined and the resulting amount shall be the sum payable by the county. Mode of ascertaining amount payable by county.

(d) Where the parties do not agree as to the amount so payable, the same shall be ascertained by the judge on the application of either party. Reference to county judge.

(e) On the reference to the judge, the board shall submit to him statements similar to those mentioned in clause *g* of subsection 2 certified in a similar manner, and shall furnish such further information as he may require. Material to be submitted.

Cost of
reference.

(f) The costs of a reference to the judge under this section shall be in his discretion, and the amount thereof shall be fixed by him and he may direct to and by whom and in what manner the same shall be paid.

Remedy of
county
against local
municipalities.

(4) Where the council of a county has passed a by-law under subsection 1 of section 33 of *The High Schools Act* and while such by-law remains in force, the council of the county shall have the right to recover from the municipality in which the parents or guardians of the pupils reside, fifty per centum of the cost of education of county pupils paid by the county under clauses *a* or *b* of subsection 3 of this section. 1925, c. 78, s. 21.

Additional
contribution
by county
council.

8.—(1) The council of the county may contribute such further sum as it may deem expedient towards permanent improvements or to the maintenance of continuation schools situate in the county; but any sum so contributed, except as provided by subsection 2, shall be apportioned among all such continuation schools in proportion to the amount which the council is required to contribute to their support.

May be for
aid to some
only of the
schools.

(2) The council of a county may by a two-thirds vote of all the members thereof pass by-laws for granting additional aid to any one or more of the continuation schools in the county without making a similar provision for the other continuation schools therein.

Apportion-
ment
between
counties in
a union.

(3) The council of united counties may apportion the amount to be levied for continuation schools so that each county in the union shall be liable only for sums payable in respect to continuation schools situate therein. R.S.O. 1914, c. 267, s. 8 (1-3).

Agricultural
training in
continua-
tion schools.

(4) Where agricultural training is provided for, in accordance with the regulations, in a continuation school, the council of the county in which the continuation school is situate may, on or before the fifteenth day of December in each year, pay to the board of the school in which such training is so provided such sums as it may deem expedient, which shall be applied by the board to the purposes of such training. 1915, c. 43, s. 3.

Balance of
grant pay-
able to dis-
trict repre-
sentative.

(a) Every balance remaining in the hands of the board of any sum paid to the board under this subsection during, or before the year 1915, shall be placed by the board at the disposal of the district representative of the Department of Agriculture, and shall be expended in accordance with *The District Representatives Act*. 1916, c. 24, s. 37.

(5) Where the continuation school is situate in an urban municipality or in a union school section parts of which are in two or more counties the amount payable under subsections 1 and 4 by the corporation of each county shall be determined in the manner provided by section 29 of *The Public Schools Act*. R.S.O. 1914, c. 267, s. 8 (5). Apportionment with schools situate in municipality or section forming part of two or more counties.

NOTE.—*The following section is numbered 8a for convenience of arrangement and is part of section 22 of The School Law Amendment Act, 1925.*

8a. Where a municipality is called upon to pay a part of the cost of education of county pupils under section 7 of this Act, all parts of such municipalities as shall be included in the continuation school section shall be exempt from paying any part of such cost paid by the municipality except such portion of such cost (if any) as shall be incurred in connection with pupils whose parents or guardians reside within such exempted section. 1925, c. 78, s. 22. *Part.* Right of exemption of contributing municipalities.

9. Pupils whether resident or non-resident may be admitted to a continuation school in accordance with the Regulations governing the admission of pupils to high schools. R.S.O. 1914, c. 267, s. 9. Admission of pupils.

10. Every teacher appointed as principal or assistant in a continuation school shall possess the qualifications prescribed by the Regulations. R.S.O. 1914, c. 267, s. 10. Qualification of teachers.

11. The courses of study in continuation schools shall be such as are prescribed by the Regulations. R.S.O. 1914, c. 267, s. 11. Courses of study.

12.—(1) Every continuation school which has been established under the provisions of Part II. of *The Continuation Schools Act*, passed in the ninth year of the reign of His late Majesty King Edward the Seventh, chaptered 90, shall be deemed to have been on and after the first day of July, 1913, and shall be a high school and, except as hereinafter expressly provided, shall be subject to the provisions of *The High Schools Act*. When continuation school becomes high school.

(2) The trustees of a continuation school holding office at the time it became a high school under the provisions of subsection 1 shall be deemed to have been the trustees of it until trustees were appointed under the provisions of *The High Schools Act* and the new board was organized. R.S.O. 1914, c. 267, s. 12 (1, 2). Rev. Stat. c. 268.

(3) The principal of a continuation school at the time it became a high school under this section shall, subject to the approval of the Minister, be qualified to continue to be the principal of such school. R.S.O. 1914, c. 267, s. 12 (3); 1915, c. 43, s. 4. When principal may continue as principal of high school.

NOTE.—*The following section is numbered 13 for convenience sake and is taken from 1918, c. 51, s. 5.*

School boards empowered to postpone opening of continuation and high schools in September, 1918.

13. Notwithstanding anything in *The Public Schools Act* and *The High Schools Act*, prescribing the dates for opening continuation schools and high schools in the month of September, the board of any such school may, by resolution of the board setting forth the reasons for such action, postpone the opening of the school in September, 1918, to a date not later than Monday, the thirtieth day of the month. 1918, c. 51, s. 5.

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TO

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The High Schools Act

Revised Statutes of Ontario, 1914

Chapter 268

with Amendments thereto,
1914 to 1925 inclusive



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This pamphlet is published as a compilation only and is not to be regarded as an official consolidation.

The High Schools Act

(R.S.O. 1914, Chapter 268)

and Amendments thereto, 1914 to 1925 inclusive

An Act respecting High Schools and Collegiate
Institutes.

HIS MAJESTY, by and with the advice and consent of the
Legislative Assembly of the Province of Ontario, enacts
as follows:—

GENERAL.

1. This Act may be cited as *The High Schools Act*. R.S.O. Short title.
1914, c. 268, s. 1.

2.—(1) In this Act—

Interpreta-
tion.

(a) "Board" shall mean a Board of High School Trus-
tees;

(b) "County Judge" and "Judge" shall mean the senior "County
judge of the county or district court of the county" judge."
or
district in which the high school is or is to be
situated, or, if he is a member of the High School
Board or is unable to act or is disqualified, shall
mean the junior judge of the county or district court,
or if he is a member of the board or is unable to act
or is disqualified, shall mean the judge of the county
or district court of the adjoining county or district
which has the largest population according to the
last Dominion census; R.S.O. 1914, c. 268, s. 2 (1),
cls. (a, b).

(c) "County pupils" shall mean pupils who reside or "County
pupils."
whose parents or guardians reside in the county but
not within the limits of a high school district or of a
town or village or school section or sections in which
a continuation school is established within that
county and shall not include pupils who are resident
pupils as herein defined, but any pupil resident in a
high school district or continuation school section
shall be regarded as a county pupil in respect to a
high school or continuation school outside such
district or section when such school (a) is reasonably
accessible to such pupil while the school is the dis-
trict or section in which he resides is not thus

accessible, or (b) provides for such pupil a course of study which is not offered in the school in his own district or section; and in case of dispute as to liability of the county to contribute to the cost of education of any such pupil the matter shall be determined by the judge in a manner similar to that provided for in the case of an application to the judge under section 34; 1925, c. 78, s. 8.

"Department."

(d) "Department" shall mean Department of Education;

"High School."

(e) "High School" shall include a Collegiate Institute;

"High School District."

(f) "High School District" shall mean the municipalities and parts of municipalities over which a board has jurisdiction;

"Maintenance."

(g) "Maintenance" shall include ordinary repairs to the teacher's residence, the school buildings, outhouses, gymnasium, fences and school furniture; the improvement of the school grounds and the grounds attached to the teacher's residence; insurance of the school property, salaries of the teachers, officers and servants of the board, the expense of conducting entrance examinations, and other expenses for ordinary school purposes and for such annual additions to the library, apparatus and other appliances as may be required by the Minister or by the Regulations, and shall also include gratuities and retiring allowances granted to teachers;

"Minister."

(h) "Minister" shall mean Minister of Education;

"Municipality."

(i) "Municipality" shall include a city, town, village or township but not a county;

"Non-resident pupils."

(j) "Non-resident pupils" shall mean pupils other than county pupils and resident pupils as herein defined;

"Permanent improvements."

(k) "Permanent improvements" shall include the purchase or rental of a residence for a teacher, or of a school site, the erection or rental of a school house, the enlargement of both or either of them, changing the system of heating or ventilation, the erection of fences, outhouses and gymnasium, the purchase of school furniture, maps and apparatus, library, and all other appliances required by the Regulations;

(l) "Regulations" shall mean Regulations made by ^{"Regulations,"} the Minister under *The Department of Education* ^{Rev. Stat., c. 265.} *Act*;

(m) "Resident pupils" shall mean pupils whose usual ^{"Resident pupils."} place of abode is within the high school district, or who are assessed or whose parents or guardians are assessed within the district for an amount equal to the average assessment of the ratepayers therein;

(n) "Separated town" shall include a town separated ^{"Separated town."} for municipal purposes from the county in which it is situate, and a town in territory without county organization;

(o) "Urban municipality" shall mean a city, town or ^{"Urban municipality."} village. R.S.O. 1914, c. 268, s. 2 (1), cls. (d-o).

(2) Where reference is made to the population of a municipality or other locality or to a number of inhabitants or ratepayers the same shall be determined by the last enumeration by the assessor. ^{References to population.}

(3) The certificate of the clerk of the municipality with ^{Certificate of clerk to be final.} respect to such population or number shall be final and conclusive. R.S.O. 1914, c. 268, s. 2 (2, 3).

HIGH SCHOOL CORPORATIONS.

3.—(1) The trustees of every high school district shall be ^{Trustees to be a corporation.} a corporation by the name of "The High School Board of," or "The Collegiate Institute Board of," as the case may be, adding the name of the municipality within which the high school or collegiate institute is situate.

(2) The trustees of every high school district shall hold ^{Term of office.} office until their successors are appointed and the new board is organized. R.S.O. 1914, c. 268, s. 3.

HIGH SCHOOL DISTRICTS.

4. Whenever a high school district has existed in fact for three months and upwards, and whether the same has been ^{Existing high school districts confirmed.} formed in accordance with the provisions of the law or not, it shall be deemed to have been legally formed and shall continue to exist, subject, however, to the provisions of this Act as far as applicable, as if such district had been formed thereunder, unless in the meantime proceedings have been taken calling in question the legal status of such district and notice thereof has been given to the persons who ought, according to the practice of the court in which the proceed-

ings are taken, to be served with notice thereof, and such proceedings result in its being determined that such district has not been legally formed. R.S.O. 1914, c. 268, s. 4.

Lands not
relieved
from rates.

5. The county council may on the petition of any municipal council detach the municipality or any part thereof from any district formed by by-law of the county council, but any change made in the boundaries of a district shall not relieve the taxable property of the district or any part thereof from the rates imposed for the payment of debentures or from any other debts incurred before such change. R.S.O. 1914, c. 268, s. 5.

Unions of
municipal-
ities or
portions
thereof for
high school
purposes.

6.—(1) The council of any county on the petition of two-thirds of the ratepayers of any municipality or part thereof not separated from such county and contiguous to any high school district or village or to a town in such county, may by by-law unite such municipality or part thereof to such district, village or town for high school purposes; and the union shall take effect on the first day of January next following the expiration of six months after the passing of the by-law. R.S.O. 1914, c. 268, s. 6 (1); 1922, c. 98, s. 19.

Dissolution
of Union.

(2) The county council on the petition of two-thirds of the ratepayers of any municipality or part thereof united to any such district, village or town may by by-law dissolve the union; but no such by-law shall come into operation until the first day of January next following the expiration of six months after the passing thereof, nor relieve the municipality or any part thereof from any rates imposed for the payment of debentures nor from any other debts incurred while such union existed, but no action that a county council may hereafter take shall alter the boundaries of the district of a high school, as empowered in section 12 of *The Continuation Schools Act*, so as to take from the area liable to assessment any property that was in the district when it was established as a continuation school district, before the expiration of five years from the date of the passing of this Act. R.S.O. 1914, c. 268, s. 6 (2); 1915, c. 43, s. 5.

NOTE.—*The following subsection is numbered (2a) for convenience and is part of 1917, c. 27, s. 48 (2).*

(2a) Where a by-law has been passed by the council of a county under subsection 2 of section 6 of this Act before the 8th day of April, 1915, for the alteration of the boundaries of the district of a high school under section 12 of *The Continuation Schools Act*, such by-law shall be deemed to have come into operation on the 1st day of January, 1917, but nothing in this subsection contained shall affect or impair the right to collect and recover all unpaid rates and requisitions made or levied prior to said last mentioned date. 1917, c. 27, s. 48 (2), *part*.

Rev. Stat.,
c. 267.

(3) Where two municipalities become united all the assets of the boards of both municipalities shall forthwith be vested in, and all the liabilities of such boards shall forthwith become liabilities of, the board of the united municipality. R.S.O. 1914, c. 268, s. 6 (3). Assets vested in board of united municipality.

(4) The council of any county, with the approval of the Lieutenant-Governor in Council, may by by-law discontinue the high school districts within the county and establish a high school district to be comprised of the whole of the county and such by-law shall take effect on the 1st day of January next following the expiration of six months after the passing of the by-law. 1921, c. 89, s. 13. Authority to establish a high school district, comprising whole county.

NEW HIGH SCHOOLS.

7.—(1) On or before the first day of July in any year the council of a county may, with the approval of the Minister, pass by-laws for the establishment of a new high school district. Establishment and discontinuance of high schools.

- (a) for a municipality not separated from the county and the council of any county may in like manner, with the approval of the Lieutenant-Governor in Council, discontinue at the end of the current calendar year any high school district already established. R.S.O. 1914, c. 268, s. 7 (1) cl. *a*; 1924, c. 82, s. 15;
- (b) for two or more townships or parts of townships within such county, if there are at least three thousand inhabitants within the proposed district, and if at least two-thirds of the ratepayers of each of such townships or parts of townships petition for such high school district;
- (c) in a village in such county or in a town therein not separated from the county, including within the proposed district the village or town and the whole or a part of any municipality or municipalities in such county contiguous to such village or town, if the whole of such proposed district contains at least three thousand inhabitants, and if two-thirds of the ratepayers in each municipality or part of a municipality to be included in such district sign a petition for such high school district. R.S.O. 1914, c. 268, s. 7 (1), cls. (*b*, *c*);
- (d) for a portion of a township adjacent to a city having a population of at least 50,000, if there are at least 2,000 inhabitants within the proposed district and the council of the township petition for such high school district. 1920, c. 99, s. 5. Establishment of high school for portion of a township.

Location
of school.

(2) In the case provided for by clause (b) of subsection 1 the high school shall be located at such place as is named in the petition. R.S.O. 1914, c. 268, s. 7 (2).

High school
district in
township in
provisional
judicial
district.

(3) In a provisional judicial district the council of a township may by by-law, with the approval of the Minister, establish the township as a high school district.

Board of
trustees.

(4) The board of trustees shall be composed of six members who shall be appointed by the council of the township annually at the first meeting of the council in each year and shall hold office until their successors are appointed. 1922, c. 98, s. 20.

NOTE.—This section is numbered (7a) for convenience and is taken from 1920, c. 99, s. 6.

Certain
former by-
laws for
establishing
high schools
validated.

7a.—(1) Where a by-law has been heretofore passed by the council of a county for the establishment of a high school in a municipality under clause a of subsection 1 of section 7 of this Act, or under any former provision for which the same was substituted, the Lieutenant-Governor in Council or the Minister of Education may approve of such by-law and the same shall thereupon be acted upon and carried out by the council of the county, and the board of trustees of the high school so established, notwithstanding that such approval was not given at the time of the passing of the by-law, and every high school so established shall be deemed to have been lawfully established, anything in this Act, or in any Act for which the same was substituted to the contrary notwithstanding.

Commence-
ment of
section.

(2) This section shall have effect as from the 1st day of May, 1920. 1919, c. 99, s. 6.

Establish-
ment of
high schools.

8.—(1) The council of a city or separated town may, with the approval of the Minister, by by-law provide that a high school shall be established in such city or town.

Additional
schools.

(2) Where a high school has been established in a city or separated town the board of high school trustees or board of education of the city or town may establish such additional high schools as it may deem necessary and, subject, to the provisions of section 38, may provide for the location, erection, maintenance and management of the same. 1925, c. 78, s. 16.

COURSES OF STUDY.

Course of
instruction.

9.—(1) The courses of study shall be those prescribed by the Regulations.

Collegiate
Institutes.

(2) Any high school which complies with the Regulations with respect to collegiate institutes may be raised to the rank of a collegiate institute by the Minister.

(3) The Lieutenant-Governor in Council may, upon the report of the Minister, reduce a collegiate institute to the rank of a high school. R.S.O. 1914, c. 268, s. 9. Reducing collegiate institutes.

10.—(1) A board may establish classes in military instruction, appoint a qualified drill instructor and provide uniforms for such classes. Military instruction.

(2) A board may annually vote a sum not exceeding \$150 for each high school within its jurisdiction for the encouragement of athletics and to defray the expenses of school games. Grants for athletics. R.S.O. 1914, c. 268, s. 10.

11. A high school board, a public school board and a continuation school board, or any one or more of such boards may engage the services of any person holding the degree of Bachelor of the Science of Agriculture or other certificate of qualification from the Ontario Agricultural College and approved by the Minister to give instruction in agriculture to the pupils of their respective schools; and the instructor shall perform such duties and the funds set apart for instruction in agriculture shall be expended for such purposes as may be prescribed by the Regulations. R.S.O. 1914, c. 268, s. 11. Instruction in agriculture.

TRUSTEES.

12. Any ratepayer who is a British subject, has attained the age of 21 years, resides in the high school district, or in the county or municipality in the case of a county or of a district municipality appointment, and who is not a member or officer of a municipal council shall be qualified to be a high school trustee. R.S.O. 1914, c. 268, s. 12; 1925, c. 78, s. 9. Qualification of trustees.

13. Every high school board shall consist of at least six trustees. R.S.O. 1914, c. 268, s. 13. Number of trustees.

14.—(1) In the case of a high school situate in a municipality of the county not being a city or a separated town, three of such trustees shall be appointed by the county council, two of whom may reside in the county outside the district, and additional trustees shall be appointed as follows,— Appointment of trustees.

(a) Where the district comprises one municipality the council thereof shall appoint three additional trustees;

(b) Where the district comprises two municipalities each council shall appoint two additional trustees; and

- (c) Where a district comprises more than two municipalities each council shall appoint one additional trustee. R.S.O. 1914, c. 268, s. 14 (1); 1925, c. 78, s. 10.

What
may be
deemed a
municipality.

- (2) A part of a municipality which is assessed for at least \$50,000 shall be deemed a municipality for the purposes of this section.

Annual
retirement
of trustees.

- (3) One of the trustees appointed by the county council and one trustee appointed by each other council shall retire each year. R.S.O. 1914, c. 268, s. 14 (2, 3).

Where district composed of county.

- 15.** Where a high school district comprises the whole of a county the county council shall appoint six trustees, two of whom shall retire each year. R.S.O. 1914, c. 268, s. 15.

Trustees in cities and separated towns.

- 16.**—(1) In a city and in a separated town the council shall appoint six trustees, and the trustees so appointed shall, with such additional trustees as are authorized by this Act, form the board.

Retirement by rotation.

- (2) The council shall provide for the annual retirement of two of the trustees appointed by them so as to secure a complete rotation every three years. R.S.O. 1914, c. 268, s. 16.

Admission of county pupils to city or town school.

- 17.**—(1) Where the board of a high school situate in a city or in a separated town notifies the county clerk that the high school is open to county pupils on the same terms as high schools in municipalities not separated from the county, the county council may, from time to time, appoint three additional trustees as provided by subsection 1 of section 14, for such high school so long as the school is open to county pupils on such terms, and such high school shall for all the purposes of this Act be considered a county high school. R.S.O. 1914, c. 268, s. 17 (1); 1925, c. 78, s. 11.

Admission of non-resident pupils in unorganized territory.

- (2) The board of a high school situated in a city, town or village in a district without county organization may, by resolution, provide that the pupils of any municipality in such district shall have the right to attend such high school on the same terms as the pupils living in the city, town or village in which the high school is situate on the condition that the council of such municipality pay to such high school board the cost *pro rata* of the maintenance of such high school according to the number of pupils in attendance thereat from such municipality. R.S.O. 1914, c. 268, s. 17 (2).

Election of trustee by municipality.

- (3) The council of any municipality in respect to which a resolution has been passed by a high school board under subsection 2 may by by-law provide for the raising of the necessary money and the payment of the same to such high school

board in accordance with the resolution, and thereupon the council shall be entitled to appoint a person qualified as provided under section 12 as a trustee to the board in addition to the other members of the board provided for by this Act. R.S.O. 1914, c. 268, s. 17 (3); 1925, c. 78, s. 12.

(4) A trustee appointed under subsection 3 shall hold office for three years and until his successor has been duly appointed, and shall have all the rights, powers and privileges of other members of the board with the exception that he shall not be entitled to vote on any matter relating to capital expenditure for land, buildings or permanent improvements not contributed to by the municipality appointing him. R.S.O. 1914, c. 268, s. 17 (4). Term of office of trustee.

18. The council which has the power and duty of appointing high school trustees shall provide for the order of their retirement. R.S.O. 1914, c. 268, s. 18. Order of retirement of trustees.

19. The board of separate school trustees of a city, town or village in which a high school is situate may appoint to the board one trustee who shall not be a member of the separate school board and who shall hold office for one year. R.S.O. 1914, c. 268, s. 19. Separate school board to appoint a trustee.

20. Except in the case of a board of education the public school board of every urban municipality and the board of a union public school section which includes an urban municipality may appoint one trustee who is not a member of the public school board to the high school board of such urban municipality, and he shall hold office for one year. R.S.O. 1914, c. 268, s. 20. Appointment by public school trustees in urban municipalities

21.—(1) Vacancies arising from the annual retirement of trustees shall be filled by the appointing body at its first meeting in each year after being organized. Vacancies caused by annual retirement.

(2) Vacancies arising from death, resignation, removal from the high school district or county or otherwise shall be filled forthwith by the appointing body, and the person appointed to fill the vacancy shall hold office for the unexpired term of the person whose place has become vacant. Vacancies from other causes.

(3) Where a separated town is reunited to the county the two trustees whose term of office shall first expire and one of the trustees whose term of office shall next expire, to be selected by lot, shall retire as soon as the county council has appointed three trustees, and the remaining three trustees together with three trustees to be appointed by the county council shall then constitute the board of the high school district. R.S.O. 1914, c. 268, s. 21. Where separated town is reunited to county.

MEETINGS OF BOARD.

First meet-
ing of
board.

22.—(1) Unless all the members of the new board have been appointed and a date for the first meeting has been decided upon by the old board, the first meeting of the board in each year shall be held at the hour of seven o'clock in the evening of the first Wednesday in February or at such other hour of the same day as may have been determined by resolution of the former board.

Election of
chairman.

(2) At the first meeting in each year of every board and whenever the office of chairman becomes vacant then at the first meeting of the board after the vacancy occurs the members shall elect one of their number to be chairman.

Vice-chair-
man.

(3) The members of the board may also elect one of their number to be vice-chairman, and he shall preside in the absence of the chairman.

Chairman
pro tem.

(4) If at any meeting there is no chairman or vice-chairman present the members present may elect a chairman for that meeting.

Secretary
and
Treasurer.

(5) At the first meeting and as often as a vacancy occurs the board shall also elect a secretary and a treasurer or a secretary-treasurer who shall hold office during the pleasure of the board.

Secretary
pro tem.

(6) In the absence of the secretary from any meeting the chairman or other member presiding may appoint any member or person present to act as secretary for that meeting.

Quorum.

(7) The presence of a majority of all the members constituting the board shall be necessary to form a quorum.

Chairman at
first meet-
ing.

(8) The secretary or secretary-treasurer shall preside at the first meeting until the chairman is elected, or if there is no secretary or secretary-treasurer then such member of the board shall preside as may be elected for that purpose.

Equality of
votes on the
election of
chairman.

(9) In case of an equality of votes at the election of chairman the trustee who is assessed for the largest sum on the last revised assessment roll shall have a second or casting vote.

In other
cases.

(10) The presiding officer may vote with the other members of the board on all questions, and any question on which there is an equality of votes shall be deemed to have been negatived. R.S.O. 1914, c. 268, s. 22.

SECURITY OF TREASURER AND SECRETARY-TREASURER.

23.—(1) Every treasurer and every secretary-treasurer shall give security for the due and faithful performance of his duties and shall submit his accounts to the auditors of the municipality in which the high school is situate. Security to be given by treasurer and secretary-treasurer.

(2) It shall be the duty of the auditors to audit such accounts in the same way as the municipal treasurer's accounts are audited. R.S.O. 1914, c. 268, s. 23. Audit.

DUTIES OF BOARD.

24. It shall be the duty of every board and it shall have power,— Duties of trustees.

- (a) to fix the times and places for the meetings of the board and the mode of calling and conducting them, and to see that a full and correct account is kept of the proceedings thereat; Fix meetings of board.
- (b) to see that the school is conducted according to this Act and the Regulations. Conduct of school.
- (c) to provide adequate accommodation according to the Regulations for all pupils, and in its discretion establish summer or vocational schools. Accommodation for pupils.
- (d) to take charge of the school, to keep the school buildings and premises in proper repair, to provide suitable furniture and equipment and to protect the property of the board; Charge of high school.
- (e) subject to the provisions of this Act, to fix the amount to be paid by parents and guardians for each pupil attending the school, and the times of payment and, when necessary, to enforce payment thereof; Collection of fees for tuition.
- (f) to take proper security from the treasurer or secretary-treasurer; Security of treasurer or secretary-treasurer.
- (g) to give the necessary orders upon the treasurer for the payment of gratuities or retiring allowances of teachers and the salaries of the teachers and other officers and servants of the board, and of such other expenses for promoting the interests of the school as may be authorized by the board; Orders for salaries and expenses.
- (h) to apply to the municipal council liable under this Act on or before the 1st day of August, or at such time before that day as may be required by the Applications to councils, how made.

council, for such sums as the board may require for the maintenance of the school for the twelve months next following the date of such application apart from fees from pupils, the appropriation from the Legislative grant, the contribution by the county council and the revenue from other sources, and for such additional sum as may be deemed expedient for permanent improvements for the same period not exceeding \$500;

Expulsion
of pupils.

- (i) to expel, on the report of the principal, any pupil whose conduct may be deemed injurious to the welfare of the school, and to exclude any pupil whose parents or guardians neglect or refuse to pay the fees of such pupil after reasonable notice;

Appoint-
ment and
removal of
teachers.

- (j) to appoint and remove such teachers, officers and servants as it may deem expedient, and to fix their salaries and prescribe their duties;

Certify fees
received.

- (k) to certify to the treasurer of the county on or before the 1st day of August in each year the amount of fees collected from county pupils for the next preceding calendar year;

Annual
report to
Minister.

- (l) to prepare and transmit on or before the 15th day of January in each year to the Minister the annual report in accordance with forms provided by the Department. R.S.O. 1914, c. 268, s. 24.

Purchase
books and
supplies, and
furnish same
free or collect
fees for the
use thereof.

25. The board may—

- (a) purchase for the use of pupils textbooks and other school supplies, and either furnish the same to them free of charge or collect for the use thereof from such pupils or their parents or guardians a sum not exceeding twenty-five cents per month for each pupil to defray the cost thereof;

Penny Sav-
ings Bank.

- (b) provide books, stationery and other materials necessary in connection with the establishment and maintenance of a Penny Savings Bank, or any system introduced for the encouragement of thrift and the habit of saving;

Dental and
medical
inspection.

- (c) provide and pay for such dental and medical inspection of the pupils as the Regulations may prescribe, or in the absence of Regulations, as the board may deem proper;

Travelling
expenses
attending
educational
association.

- (d) pay the travelling expenses of any member of the board or of any teacher in the employment of the board incurred in attending meetings of the Ontario

Educational Association or other like association of teachers or trustees in Ontario. R.S.O. 1914, c. 268, s. 25.

25a. With the approval of the Minister, to be given upon the recommendation of the High School Inspector, the board may arrange for the instruction at a high school or collegiate institute in any other high school district in Ontario, of pupils who desire to take high school courses which are not provided by the board, and who are the children of ratepayers in the high school district for which the board is appointed, and may pay the fees and transportation expenses of such pupils while attending such courses. 1918, c. 51, s. 4.

Providing for scholars' attendance at other high schools

26. Where there are more high schools than one in an urban municipality the board may appoint a supervising principal having the qualifications of a high school principal who, subject to the Regulations, shall perform such duties in connection with the high schools as may be assigned to him by the board. R.S.O. 1914, c. 268, s. 26.

Supervising principal in urban municipality.

PROPERTY VESTED IN BOARDS.

27.—(1) All property heretofore granted or devised to, acquired by or vested in any person or corporation for the high school purposes of any locality, or which may hereafter be so granted, devised, acquired or vested shall be vested in the board having jurisdiction in such locality.

High school property vested in trustees.

(2) The board shall have full power to sell, convey, transfer or lease such property, or any part thereof, upon the adoption of a resolution by the board that the property is no longer required for high school purposes, and the proceeds of such sale, transfer or lease shall be applied for high school purposes. R.S.O. 1914, c. 268, s. 27.

Power to sell or convey, etc.

28. A board, with the approval of the municipal council or of a majority of the municipal councils having jurisdiction within the high school district, and of the Minister, may sell and transfer any site or other property vested in the board, and after making provision for all debts and liabilities of the board may apply the residue of the proceeds to any purpose that may be approved by the Minister, and thereupon the Lieutenant-Governor in Council may by proclamation declare the corporation dissolved. R.S.O. 1914, c. 268, s. 28.

Power to sell site.

28a. Where a high school has been established under this Act or a continuation school has been constituted a high school under section 12 of *The Continuation Schools Act*, the council of the county in the case of a county high school or the council of the city or town in the case of a high school in a city or separated town may, with the approval of the Minister,

Discontinuing high school.

discontinue such high school, and the property of the school so discontinued may be disposed of as provided by section 28. 1914, c. 21, s. 59.

SCHOLARSHIPS.

29. Any person may, with the approval of the board, found a scholarship or prize. R.S.O. 1914, c. 268, s. 29.

30.—(1) A board may annually award five scholarships to the pupils of the public or separate schools situate within the high school district.

(2) The number of such scholarships shall be fixed by the high school board which may award the same by competitive examinations or otherwise and may prescribe the tenure of such scholarships and provide for the expenses of holding examinations therefor.

(3) A scholarship shall be awarded only to a pupil who is a ratepayer or the child of a ratepayer in a municipality contributing to the maintenance of the high school. R.S.O. 1914, c. 268, s. 30.

31.—(1) A board may annually award free scholarships to the pupils on the results of form or other examinations.

(2) The board may make such rules and regulations regarding such scholarships as it may deem expedient. R.S.O. 1914, c. 268, s. 31.

32.—(1) Subject to the Regulations the high school board of a city or town may make such annual grant as may be deemed proper for the establishment or in aid of a superannuation fund for the teachers and officers of the board of such city or town, and may make rules prescribing the terms and conditions upon and under which they shall be entitled to participate therein, and may make it a term of the engagement of a teacher or officer that he shall contribute to the fund such annual sum as may be prescribed by such rules.

(2) A board may invest any money received through legacy, gift, superannuation fund, or in its hands for the purposes of a superannuation fund or otherwise, and for such purposes shall have and may exercise the powers conferred upon trustees by *The Trustee Act*. R.S.O. 1914, c. 268, s. 32.

COUNTY GRANTS FOR MAINTENANCE OF HIGH SCHOOLS.

33.—(1) The council of a county may before the 1st day of July in any year by by-law decide to provide for the cost of education of pupils at the high schools in the county by co-operation with the boards of high school trustees of the

municipalities in the county on the following basis: Fifty per centum of the cost of education of resident pupils in any school to be borne by the county and fifty per centum of such cost by the high school district; and fifty per centum of the cost of education of county pupils to be borne by the county and fifty per centum of such cost by the municipalities in which the parents or guardians of the pupils reside.

(2) With the approval of the Lieutenant-Governor in Council the council of a county by by-law passed by a two-thirds vote of the members of the council present and voting thereon, before the 1st day of July in any year, may repeal any by-law passed under subsection 1 and thereafter and until another by-law is passed under subsection 1, section 34 shall apply as to the apportionment of the cost of education of resident pupils and county pupils in the county. Repeal of county by-law.

(3) Where the council of a county has passed a by-law under subsection 1, and while such by-law remains in force, the cost of education of resident and county pupils shall be determined as follows: The total cost per pupil per day shall be calculated by adding to the total amount expended for permanent improvements (including amounts expended in paying off debentures and in providing for the interest payable on such debentures) the total cost of maintenance of the high school, and subtracting from this sum the amount apportioned out of the legislative grant and any amounts received from fees and from the councils of other counties for the education of non-resident pupils, and dividing the remainder by the total number of days' attendance of all pupils at the school during the year; the cost of education of resident pupils shall then be calculated by multiplying the cost per pupil per day by the total number of days' attendance of resident pupils during the year, and the cost of education of county pupils, by multiplying the cost per pupil per day by the total number of days' attendance of county pupils during the same period. Mode of determining cost of education of resident and county pupils.

(4) Where the corporation of the county and any board or municipality do not agree as to the amount payable under subsections 1 and 3, such amount shall be ascertained by the judge on application of either party in a manner similar to that provided for in the case of an application to the judge under section 34, and the provisions of that section as to such an application and the award to be made thereon shall *mutatis* apply. Arbitration by judge in case of disagreement.

(5) The costs of a reference to the judge shall be in his discretion and the amount thereof shall be fixed by him, and he may direct to and by whom and in what manner the same shall be paid. 1925, c. 78, s. 17, *part.* Costs of reference.

Where no agreement for co-operation, county to pay equivalent of legislative grant.

34.—(1) Where the council of any county has not passed the by-law mentioned in subsection 1 of section 33, it shall on or before the 15th day of December in each year, pay to the board of every high school in towns not separated from the county, and in villages and townships within the county for the maintenance of the high schools, an amount equal to that apportioned by the Minister to such high schools out of the legislative grant for the maintenance of high schools.

County grant for maintenance of county pupils at high school.

(2) Where the cost of maintenance of county pupils at a high school and the share of the cost of education of county pupils which the area constituting the high school district paid to the county during the preceding year exceeds the amount apportioned by the Minister and the fees received, the council shall in lieu of the equivalent of the amount apportioned out of the legislative grant, pay to the board a sum to be calculated as follows: To eighty per centum of the total amount expended for permanent improvements (including amounts expended in paying off debentures and in providing for the interest payable on such debentures) shall be added the total cost of maintenance of the high school; the amount apportioned out of the legislative grant, and any sums received for fees shall then be deducted; the remainder shall be divided by the total number of days' attendance of all pupils at the school during the next preceding three years, and the resulting amount shall be multiplied by the total number of days' attendance of county pupils during the same three years; and to the resulting amount there shall be added the share of the cost of education of county pupils which the area which constitutes the high school district paid to the county during the preceding year as included in the rates levied by the county council, according to the relative equalized value, and the total amount so ascertained shall be the sum payable by the council to the board.

Reckoning attendance.

(3) Where a high school has not been in existence for three years the attendance shall be reckoned for the period during which it has been open.

Agreement to settle amount.

(4) The board and the county council may, by agreement, settle the amount to be paid by the county for the education of county pupils in any year, but if they do not agree the same shall be settled by the judge on the application of either party.

Agreement not to affect county grant.

(5) No agreement or settlement so made shall affect the apportionment of county aid authorized by section 39.

Term of award of judge.

(6) Where a high school has been in existence for three years or more an award made by the judge shall be binding for three years, and where it has not been in existence for three years, for one year only.

(7) In case of a reference the board shall submit to the judge a detailed statement of all receipts and expenditures for the high school for each of the preceding years or a less period under consideration, which shall be certified by the auditors, and a statement certified by the chairman of the board, of the names, residences and attendance of all resident, non-resident and county pupils for each of such years or for such period, and giving a separate list with names and addresses of the county pupils on whose account the demand for payment is made, and a statement, certified by the chairman, of the amount apportioned out of the legislative grants during each of such years or during such period, and shall also furnish to the judge such further information as he may require.

Material to be submitted on reference.

(8) The costs of a reference to the judge shall be in his discretion and the amount thereof shall be fixed by him, and he may direct to and by whom and in what manner the same shall be paid. 1925, c. 78, s. 17, *part*.

Costs of reference to judge.

34a. Where an agricultural department is established by the Minister in a high school, the council of the county in which the high school is situate shall, on or before the 15th day of December in each year, pay to the board of the school in which such department is established, the sum of \$500, which shall be applied by the board to the purposes of such department. 1925, c. 78, s. 17, *part*.

County grant to agricultural department.

35.—(1) Where the board of a city or a separated town has notified the county clerk that the high school is open to county pupils on the same terms as high schools in the municipalities not separated from the county are open to such pupils, the county council shall, on or before the 15th day of December in each year, pay a sum equal to eighty per cent. of the cost of education of county pupils at such high school.

Maintenance of county pupils at high schools.

(2) Where the board of a city, town, village or township has notified the clerk of any county adjacent to that in which the high school is situate that such high school is open to pupils resident in such adjacent county on the same terms as to county pupils, the council of such adjacent county shall, on or before the 15th day of December in each year, pay for the education of pupils from such county attending such high school a sum equal to eighty per cent. of the cost of the education of pupils at such high school.

Maintenance of pupils from adjacent county.

(3) Where the board of a municipality contiguous to a city gives notice to the city clerk that such high school is open to city pupils on the same terms as it is open to the resident pupils of the municipality in which the high school is situate the council of the city shall, on or before the 15th day of December in each year, pay to the board eighty per cent. of the cost of the education of city pupils at the high school. 1921, c. 89, s. 14, *part*.

Contributions by city to cost of maintenance of pupils at school in adjoining municipality.

Mode of
ascertaining
amount
payable by
county or
municipality
for
non-resident
pupils.

(4) The amount payable under subsections 1, 2 and 3 shall be ascertained as follows: The total expenditure on the high school shall be determined by taking the sum of the total expended for maintenance and the total expended for permanent improvements (including amounts expended in paying off debentures and in providing for the interest payable on such debentures):—from the total expenditure thus calculated the amount apportioned out of the legislative grant, and any sums received for fees shall first be deducted, the remainder shall be divided by the total number of days' attendance of all pupils at such high school during the year for which payment is to be made; the resulting amount shall be multiplied by the total number of days' attendance of pupils in respect of whom such county or municipality is liable; the percentage prescribed shall then be determined and the resulting amount shall be the sum payable by such county or municipality. 1925, c. 78, s. 18 (1).

Reference.

(5) Where the parties do not agree as to the amount so payable the same shall be ascertained by the judge on the application of either party.

Submission
of material
on reference.

(6) On the reference to the judge the board shall submit to him statements similar to those mentioned in subsection 6 of section 34, certified in a similar manner, and shall furnish such further information as he may require. 1921, c. 89, s. 14, *part*.

(7) Where the council of a county has passed a by-law under subsection 1 of section 33 and while such by-law remains in force, the council of the county shall have the right to recover from the municipality in which the parents or guardians of the pupils reside fifty per centum of the cost of education of county pupils paid by the county under this section. 1925, c. 78, s. 18 (2).

NOTE.—*This section is numbered 35a for convenience and is part of 1925, c. 78, s. 22. The remainder of this section relates to Continuation Schools.*

Right of
exemption
of contribut-
ing municipi-
alities.

35a. Where a municipality is called upon to pay a part of the cost of education of county pupils under subsection 1 of section 33, or under subsection 7 of section 35 of this Act, all parts of such municipalities as shall be included in a high school district shall be exempt from paying any part of such cost paid by the municipality except such portion of such cost (if any) as shall be incurred in connection with pupils whose parents or guardians reside within such exempted district. 1925, c. 78, s. 22, *part*.

Costs of
reference to
judge.

36. The costs of a reference to the judge under sections 34 or 35 shall be in his discretion and the amount thereof shall

be fixed by him and he may direct to and by whom and in what manner the same shall be paid. R.S.O. 1914, c. 268, s. 36.

COLLECTION OF RATES.

37. The council or councils having jurisdiction shall levy and collect each year in their respective municipalities or the parts thereof within the high school district such amount as the board may deem necessary for the maintenance of the high school in addition to that received from the county council and from other sources under this Act, and a further sum, not exceeding \$500 in any one year, if required by the board for permanent improvements, and such amount shall be levied by one uniform rate over the whole district, unless one or more of the councils of the municipalities comprising the high school district assume greater obligations when the rate shall be such as may be mutually agreed to by the councils. R.S.O. 1914, c. 268, s. 37; 1915, c. 43, s. 7.

Councils to levy rates in high school districts.

GRANTS FOR PERMANENT IMPROVEMENTS.

38.—(1) Where the sum required by a board for permanent improvements exceeds \$500 the same shall be raised on the application of the board by the issue of municipal debentures as herein provided, and all sums required to pay off such debentures and to pay interest thereon and the expenses connected therewith shall be raised by assessment on the ratepayers of the municipality or municipalities or parts thereof comprising the high school district.

Grants for permanent improvements exceeding \$500.

(2) The application of the board shall be made to the council or councils having jurisdiction over the high school district, and in it the board may state the minimum term of years, not exceeding thirty, within which the sum required is to be repaid.

Application of board to council.

(3) The council, or, if more than one, each of the councils applied to, at its first meeting after receiving the application, or as soon thereafter as possible shall consider and approve or disapprove the same; and if a vote in any council results in a tie the application shall be deemed to be disapproved by that council. R.S.O. 1914, c. 268, s. 38 (1-3).

Council to deal with application.

(4) If the council or a majority of the councils, where there are more than one, approve of the application the council of the municipality within which the high school is situate shall raise the sum required by the issue of debentures in the manner provided by *The Municipal Act*, or if it so desires the council of any municipality may raise its proportion of the sum required by the issue of its own debentures. R.S.O. 1914, c. 268, s. 38 (4); 1914, c. 21, s. 60.

Issue of debentures.

1922, c. 72.

Submission
of applica-
tion to rate-
payers.

1922, c. 72.

(5) If the council, or half the number of councils where there are more than one, disapprove of the application such council, or each of such councils where there are more than one, on the request of the board shall submit the application to a vote of the electors of its municipality or of the part thereof comprised in the high school district in the manner provided by *The Municipal Act*, in the case of a money by-law.

When rate-
payers
approve
application
debentures
to be issued.

1922, c. 72.

(6) If a majority of the votes cast throughout the high school district are in favour of the application the council of the municipality in which the high school is situate shall in the manner provided by *The Municipal Act*, but without submitting any by-law to the electors, raise the required sum by the issue of debentures.

Council may
act without
submission
to rate-
payers.

(7) The council or councils having jurisdiction in a high school district or a majority of them may pass by-laws for the purpose of raising or borrowing money required by the board for permanent improvements without submitting the same to a vote of the electors. R.S.O. 1914, c. 268, s. 38 (5-7).

Proportion-
ate liability
for de-
benture
debt.

(8) Where a high school district comprises more than one municipality or parts of more than one municipality each municipality shall be liable for such proportion of the principal and interest payable under and of the expenses connected with the debentures as the equalized assessment of that part of the high school district which is within such municipality bears to the equalized assessment of the whole district, and the council of each of the other municipalities shall pay its proportion to the council of the municipality which has issued the debentures, unless one or more of the councils assume greater obligation, when the proportion to be paid by each shall be such as the councils may mutually agree to. R.S.O. 1914, c. 268, s. 38 (8); 1915, c. 43, s. 8.

Term of
debentures.

1922, c. 72.

(9) A debenture may be for such term of years, not exceeding thirty and not less than that mentioned in the application of the board, as the municipal council or councils concerned or a majority of them may think proper, or the council or councils or a majority of them shall, if the board has so requested, and may, whether such request has been made or not, make the debenture debt payable by annual or other instalments in the manner provided by *The Municipal Act*.

(a) The council or councils of a municipality or municipalities liable for more than one-half of such debt shall for the purposes of this subsection be deemed a majority.



(10) Nothing in this section shall prevent the municipality in which the high school is situate from assuming the full cost of permanent improvements or from undertaking to pay any debentures that may be issued therefor notwithstanding that such municipality forms only a part of the high school district. R.S.O. 1914, c. 268, s. 38 (9, 10). Municipality in which high school is situated may assume full cost of permanent improvements.

39.—(1) The council of any municipality or county may raise by assessment, in addition to any sum which it is required by this Act to raise, such further sums as it may deem expedient for the maintenance or permanent improvement of a high school, provided that, in the case of a county, any additional sum so raised shall be apportioned, except as hereinafter provided, among all the high schools of the county in proportion to the liability of the county to each board. Council may raise further sum for high school purposes.

(2) The council of a county may by a two-thirds vote of all the members thereof pass by-laws for granting additional aid to any one or more of the high schools in the county without making a similar provision for the other high schools therein. R.S.O. 1914, c. 268, s. 39. County council may make grants to particular schools.

40.—(1) All money which a municipal council is required by this Act to collect for permanent improvements shall be paid to the treasurer of the board on or before the 31st day of December of the year in which application was made by the board for such money. Payment of grants permanent improvements.

(2) All money which a council is required to collect by assessment, or to raise by way of loan or otherwise, for the maintenance of a high school shall be paid from time to time to the treasurer of the board as the board may require. R.S.O. 1914, c. 268, s. 40. For maintenance.

41. The council of united counties may apportion the amount to be levied for high school purposes so that each county shall be liable only for the maintenance of the high schools within such county, but in such case each of the counties shall pay for the maintenance of pupils residing therein who attend any high school situate in any other of the counties. R.S.O. 1914, c. 268, s. 41. Apportionment of high school grant in united counties.

42.—(1) No fees shall be payable by pupils attending a high school which they have a right to attend under the provisions of this Act. When schools to be free.

(2) Pupils other than the pupils referred to in subsection 1 attending a high school shall pay such fees as the board may prescribe, but such fees shall not be greater than the average cost per pupil for education in the high school. When fees may be charged.

(3) The fees payable under this section shall be payable to the treasurer of the board. 1921, c. 89, s. 15. Fees payable to treasurer.

Maintenance of county pupils from municipality outside high school district.

(4) The council of a municipality not included or not wholly included in a high school district shall provide by assessment for the payment of the maintenance, calculated in accordance with the provisions of section 34, of any pupils attending a high school in the county or in the district who reside in such municipality, but in the case of a municipality not wholly included in a high school district such assessment shall be confined to the part which is not included within the high school district, provided, that such maintenance shall not be payable where the county council pays a maintenance grant instead of the equivalent apportioned out of the amount of the Legislative grant. 1922, c. 98, s. 21.

Agreements as to fees of non-resident pupils.

(5) The council of a county or of any municipality may enter into an agreement with the board of education or the high school board of any other municipality for the payment of the whole or part of any fees imposed on non-resident pupils attending a high school, collegiate institute or technical school under the control of the board of such municipality, and all agreements heretofore made by the council of a county or of any municipality for such purpose and all payments heretofore made under agreements, or otherwise, are hereby validated and confirmed and declared to have been legally made. 1924, c. 82, s. 17.

What school pupils may attend.

43. County pupils shall have the right to attend any high school aided by the council of the county in which they or their parents or guardians reside. Resident pupils shall have the right to attend the high school of the district in which they or their parents or guardians reside. Non-resident pupils may attend any high school at the discretion of the board. R.S.O. 1914, c. 268, s. 43.

HIGH SCHOOL ENTRANCE EXAMINATIONS.

General.

Who may be admitted to high schools.

44. Subject to the Regulations—

- (a) Candidates who pass the uniform entrance examination for high schools held by boards of examiners provided for in this Act shall be granted admission to the high schools.
- (b) Candidates who have completed the course prescribed for the fourth form of the public school or who have in the opinion of a board of examiners completed a course which gives them an equivalent standing may in the discretion of such board of examiners be by it admitted to the high schools without passing such entrance examination.

- (c) A candidate shall be entitled to enter a high school while it is conducted at night if in the opinion of the principal of the high school and of the public school inspector or the chief public school inspector of the high school district, after due examination or other investigation, he is competent to take up the subjects as prescribed by the Regulations; but such admission shall not entitle him to admission to the high school when conducted by day. R.S.O. 1914, c. 268, s. 44.
- Provision for attendance at high school conducted at night.

45.—(1) Subject to the Regulations the Minister may establish an examination for entrance to the middle school of the high schools for those who have completed the course prescribed for the lower school of the high schools, and such examinations shall be known as "The Senior High School Entrance Examination."

Examination for entrance into middle school of high school.

(2) After the establishment of such examination the entrance examination provided for by section 44 shall be known as "The Junior High School Entrance Examination." R.S.O. 1914, c. 268, s. 45.

"The Junior High School Entrance Examination."

46.—(1) Subject to the Regulations any person actually engaged in teaching in the high school district, if a qualified examiner can be obtained therein, who holds—

Who may be examiners at entrance examinations.

(a) a permanent High School certificate, or

(b) a permanent First Class certificate, or

(c) a Provincial Second Class certificate, and has had five years' experience as a teacher

may be appointed a presiding officer or a member of a board of examiners.

(2) The Minister may suspend any member of the board from membership therein for such period as he may deem expedient in case of the failure of such member to properly observe the Regulations with regard to High School Entrance examinations or of being guilty of other misconduct in office.

Member of board may be suspended for non-observance of regulations, etc.

(3) The Minister may appoint some other qualified person to act in the place of the member so suspended. R.S.O. 1914, c. 268, s. 46.

Appointment during suspension.

In the Counties.

47.—(1) (a) In a county in which one or more high schools have been established one or more examination centres shall be established by the high school board from time to time in each district and in other parts of the county by the county

Centres to be established.

council. The county clerk or the secretary of the board, as the case may be, shall give due notice to the public school inspector of the establishment of such centres, and the inspector shall attach each centre established by the county council to the centre or centres of one of the high school districts. R.S.O. 1914, c. 268, s. 47 (1), (a).

One board of
examiners
for each
district.

(b) A high school district shall be under one board of examiners. The public school inspector or inspectors where there are two or more of an inspectorate in which a high school centre or attached county centre is situate and the high school principal or principals in the high school district shall be members of the board of examiners. The public school board and the board of separate school trustees, if any, of the city, town or village in which the high school is situate may each, on or before the first day of June in any year, appoint an additional member to the board. The county council may also on or before the 1st day of June in any year appoint the principal of one continuation school, having a staff of at least two teachers, to be a member of the board of examiners of the high school district to the centre or centres of which his county centre is attached. R.S.O. 1914, c. 268, s. 47 (1), (b); 1925, c. 78, s. 19.

Examiners
in counties
not having
a high
school.

(2) (a) In a county, city or separated town, in which no high school has been established, the council of the county, city or town, at its meeting in June in each year, shall appoint a board of examiners, consisting of the public school inspectors, with as many more members as may appear to be necessary, and preference shall be given to the principals of the continuation schools of the county. R.S.O. 1914, c. 268, s. 47 (2), (a); 1917, c. 27, s. 49.

County
centres.

(b) The county council shall also establish such county centres as it may deem necessary, and the county clerk shall notify the public school inspectors of the establishment of such centres. R.S.O. 1914, c. 268, s. 47 (2), (b).

Additional
examiners.

(3) Subject to the Regulations, every board of examiners shall in each year appoint such additional members as may be required.

Payment of
examiners'
fees.

(4) Subject to the Regulations, the expenses of the examination shall be paid, on the requisition of the chairman of the board of examiners, in the case of county centres by the treasurer of the county, and in the case of the high school district centres by the treasurer of the high school board.

Candidates'
fees.

(5) The county council or the high school board, as the case may be, may impose a fee not exceeding \$1 upon each candidate at the county and the high school district centres, which shall be paid by the candidate as prescribed by the

Regulations, and shall be paid over at or before the close of the written examination to the treasurer of the county or of the board, as the case may be. R.S.O. 1914, c. 268, s. 47 (3-5).

In the Territorial Districts.

48.—(1) (a) Where there are one or more high schools in a public school inspectorate in territory without county organization there shall be a board of examiners for each high school. The inspector for the inspectorate in which the high school is situate and the high school principal or principals in the high school district shall be members of the board. The public school board and the board of separate school trustees, if any, of the city, town or village in which the high school is situate may each, on or before the first day of June of any year, appoint an additional member. Subject to the Regulations, the board of examiners in each year shall appoint such additional members as may be required, and preference shall be given to the principals of continuation schools in the inspectorate. Examiners in territorial districts.

(b) One or more centres shall be established by the high school board in each high school district and, with the approval of the Minister, other centres may be selected and attached by the public school inspector to one of the high school district centres in his inspectorate. Examination centres.

(2) (a) In an inspectorate in which no high school has been established there shall be a board of examiners consisting of the public school inspector and as many more members as may appear to him to be necessary appointed by the inspector, with the approval of the Minister, and preference shall be given to the principals of continuation schools in the inspectorate. Where no high school has been established.

(b) In such inspectorates the centres shall be selected by the inspector with the approval of the Minister.

(3) Subject to the Regulations, the expenses of the examinations shall be paid by the Minister out of any money appropriated by legislation and applicable to that purpose. R.S.O. 1914, c. 268, s. 48. Expenses: how borne.

HIGH SCHOOL TEACHERS.

49.—(1) No person shall be appointed principal or assistant teacher in a high school who does not possess the qualifications prescribed by the Regulations. Qualification.

(2) Every teacher of a high school shall in the organization, discipline, management and classification of the pupils be subject to the Regulations.

Superannuation.
1920, c. 100.

(3) The provisions of *The Public Schools Act* respecting superannuation shall apply to teachers of high schools. R.S.O. 1914, c. 268, s. 49.

AGREEMENTS.

Proportion of salary to which teacher entitled.

50.—(1) A teacher who enters into an agreement with a board for one year and who serves under such agreement for three months or over shall be entitled to be paid his salary in the proportion which the number of days during which he has taught bears to the whole number of teaching days in the year.

Sickness or dental treatment.

(2) A teacher shall be entitled to his salary notwithstanding his absence from duty on account of sickness for a period not exceeding four weeks in any one year of his employment if the sickness is certified to by a physician, or in a case of acute inflammatory condition of the teeth or gums by a licentiate of dental surgery; but the period of four weeks may in any case of sickness be allowed and extended at the pleasure of the board without a certificate.

Suspension for neglect of duty.

(3) A high school inspector may, on the complaint of a board, suspend the certificate of a teacher who wilfully neglects or refuses to carry out his agreement with the board, but the teacher may appeal to the Minister who may make such order with regard to the suspension as he may deem proper.

Disputes between teachers and trustees.

1920, c. 100.

(4) All matters of difference between boards and teachers in regard to salary or other remuneration, whatever may be the amount in dispute, shall be determined in the Division Court of the division in which the cause of action arose, subject to the same right of appeal as under *The Public Schools Act*. R.S.O. 1914, c. 268, s. 50.

Appointment of advisory officers.

50a. Subject to the approval of the Minister, a high school board or a board of education may appoint one or more officers qualified according to the regulations to collect and distribute information regarding available occupations and employments, and to offer such counsel to the pupils of the schools under the charge of the board as will enable them to plan intelligently for their vocational and educational advancement and every person so appointed shall be subject to the control of the board. 1921, c. 89, s. 16.

RETIRING ALLOWANCES.

Retiring allowance to teachers.

51. Where a teacher or an officer whose time is entirely devoted to the work of the board retires, having reached the age of 60 years, or after having been for 20 years in the service of the board, the board may grant him an annual allowance not exceeding the salary which he was receiving at the time

of his retirement, or may make a grant to him by way of gratuity of such sum as will represent not more than the present value of such allowance for his life computed on the basis of interest at the rate of four per centum per annum. R.S.O. 1914, c. 268, s. 51.

SCHOOL YEAR AND HOLIDAYS.

52.—(1) The school year shall consist of three terms; the first shall begin on the first Tuesday of September and end on the 22nd of December; the second shall begin on the 3rd of January and end on the Thursday before Easter Day, and the third shall begin on the second Monday after Easter Day and end on the 29th of June. R.S.O. 1914, c. 268, s. 52 (1). Terms.

(2) Every day upon which a school is closed under the provisions of *The Public Health Act* or under the Regulations of the Department of Education, every Saturday, every public holiday and every day proclaimed a holiday by the council of the municipality in which the school is situate shall be a school holiday. R.S.O. 1914, c. 268, s. 52 (2); 1919, c. 73. s. 17. Holidays.

NOTE.—*The following section is numbered 52a for convenience and is taken from 1918, c. 51, s. 5.*

52a. Notwithstanding anything in *The Public Schools Act* and this Act, prescribing the dates for opening continuation schools and high schools in the month of September, the board of any such school may, by resolution of the board setting forth the reasons for such action, postpone the opening of the school in September, 1918, to a date not later than Monday, the thirtieth day of the month. School boards empowered to postpone opening of continuation and high schools in September, 1918.

AUTHORIZED BOOKS.

53.—(1) A teacher shall not use or permit to be used as a textbook in a high school any book except such as is authorized by the Regulations, and the Minister, upon report of the inspector, may withhold the whole or any part of the legislative grant in respect of any high school in which any unauthorized book is so used. Textbooks.

(2) Subject to the Regulations an authorized text-book in actual use in a high school may, with the written approval of the board, be changed by the teacher for any other authorized textbook on the same subject. R.S.O. 1914, c. 268, s. 53. Change of text-books.

OFFENCES AND PENALTIES.

54. A high school trustee shall not enter into any contract, agreement, engagement or promise of any kind, either in his own name or in the name of another, and either alone or Seat vacated by interest in contract with board.

jointly with another, in which he has any pecuniary interest, profit, or promised or expected benefit with the board of which he is a member, or have any pecuniary claim upon or receive compensation from the board for any work, engagement, employment or duty on behalf of the board, and every such contract, agreement, engagement or promise shall be null and void, and a trustee violating the provisions of this section shall *ipso facto* vacate his seat, and the secretary shall forthwith notify the clerk of the municipality or the appointing body of the vacancy. R.S.O. 1914, c. 268, s. 54.

Newspaper proprietors inserting official advertisements not disqualified from sitting on boards, etc.

55. No person shall be disqualified from being a member of a board or from sitting and voting on such board by reason only of his being proprietor of or otherwise interested in a newspaper or other periodical publication in which an advertisement is inserted by the board in the regular course of business, or which is subscribed for by the board, if such advertisement or subscription is paid for at the usual rate, but such member shall not be entitled to vote where his own account is in question. R.S.O. 1914, c. 268, s. 55.

Seat vacated by conviction for crime, etc.

56. If a trustee is convicted of an indictable offence, or becomes insane, or, without being authorized by resolution entered upon the minutes, absents himself from the meetings of the board for three consecutive months, or ceases to be a resident within the county, municipality or district for which he was appointed, he shall *ipso facto* vacate his seat, and the secretary shall forthwith notify the clerk of the council of the county or municipality or other appointing body of the vacancy. R.S.O. 1914, c. 268, s. 56; 1925, c. 78, s. 13.

Disturbing schools.

57. Any person who wilfully interrupts or disquiets any high school by rude or indecent behaviour, or by making a noise either within the place where such school is kept or held or so near thereto as to interfere with the order or exercises of the school, shall for each offence incur a penalty not exceeding \$20. R.S.O. 1914, c. 268, s. 57.

Substitution of unauthorized textbooks.

58. If a teacher negligently or wilfully permits an unauthorized book to be used as a textbook by the pupils of his school the Minister, on the report of the inspector, may suspend such teacher and the board may also deduct from his salary a sum equal to so much of the legislative grant as has been withheld on account of such use or any less sum at its discretion. R.S.O. 1914, c. 268, s. 58.

Disqualified persons acting as trustees.

59.—(1) A trustee who sits or votes at any meeting of the board while disqualified under this Act shall incur a penalty of \$20 for every meeting at which he so sits or votes.

(2) Every person appointed as trustee who has not refused to accept the office and who at any time refuses or neglects to perform its duties shall incur a penalty not exceeding \$20. Penalty for refusal to perform duties.
R.S.O. 1914, c. 268, s. 59.

60. A trustee shall not be eligible for appointment as a high school teacher, nor shall the teacher of a high, public or separate school hold the office of high school trustee. Disqualification for holding certain offices. R.S.O. 1914, c. 268, s. 60.

61. If a board refuses or neglects to take proper security from the treasurer or other person to whom they entrust school money and any school money is forfeited or lost to the board in consequence of such refusal or neglect every member of the board shall be personally liable for such money, and the same may be recovered by the board or any ratepayer or ratepayers interested therein suing on behalf of himself or themselves and all ratepayers of the high school district interested in any court of competent jurisdiction, but no member shall be liable if he proves that he made reasonable efforts to procure the taking of such security. Liability for neglect to take security. R.S.O. 1914, c. 268, s. 61.

62. A trustee shall not be appointed secretary, treasurer, or secretary-treasurer of the board or be bondsman or surety for the treasurer or secretary-treasurer or for any person entrusted with school money. Trustee may not be secretary, treasurer, or bondsman. R.S.O. 1914, c. 268, s. 62.

63.—(1) A treasurer, secretary or secretary-treasurer, or a person having been such treasurer, secretary or secretary-treasurer, and a trustee or other person who has in his possession any book, paper, chattel or money which came into his possession as such treasurer, secretary, secretary-treasurer, or trustee or otherwise shall not wrongfully withhold or neglect or refuse to deliver up or account for and pay over the same to the person and in the manner directed by the board or by other competent authority. Duty to deliver up books or money.

(2) Upon application to the judge by the board, supported by affidavit, showing such wrongful withholding or refusal, the judge may summon such treasurer, secretary, secretary-treasurer, trustee or person to appear before him at a time and place appointed by him. Summons for appearance.

(3) A bailiff of a division court upon being required so to do by the judge shall serve the summons, or a true copy thereof, on the person complained against personally or by leaving the same with a grown-up person at his residence. Service of summons.

(4) At the time and place so appointed the judge if satisfied that service has been made shall, in a summary manner, and whether the person complained against does or does not appear, hear the complaint, and if he is of opinion that it Order to account.

is well founded may order the person complained against to deliver up, account for and pay over such book, paper, chattel or money by a day to be named by the judge in the order, together with such reasonable costs incurred in making the application as the judge may allow.

Effect of
non-com-
pliance with
judge's
order.

(5) In the event of non-compliance with the order the judge may order such person to be forthwith arrested by the sheriff of any county or district in which he may be found, and to be committed to the common gaol of the county or district in which he resides, there to remain without bail until the judge is satisfied that he has delivered up, accounted for or paid over the book, paper, chattel or money in the manner directed by the board or other competent authority.

Discharge on
complying
with order.

(6) Upon proof of his having so done the judge shall make an order for his discharge and he shall be discharged accordingly.

Discharge on
terms.

(7) Upon proof that such person has done all in his power to deliver up, account for or pay over such book, paper, chattel or money as directed the judge may order his discharge on such terms or conditions as he may deem just.

Other
remedy not
affected.

(8) Such proceedings shall not impair or affect any other remedy which the board or other competent authority may have against the person complained against or against any other person. R.S.O. 1914, c. 268, s. 63.

Penalties on
trustees
refusing in-
formation,
etc., to
auditor.

64. It shall be the duty of a board and of the treasurer, secretary or secretary-treasurer to furnish the auditors with any papers and information in their power which may be required of them relative to the school accounts, and any member of the board and a treasurer, secretary or secretary-treasurer who neglects or refuses so to do shall incur a penalty not exceeding \$20. R.S.O. 1914, c. 268, s. 64.

Penalty for
false school
reports and
registers.

65. If a trustee knowingly signs a false report, or if a teacher keeps a false school register or makes a false return, such trustee or teacher shall for every offence incur a penalty not exceeding \$20. R.S.O. 1914, c. 268, s. 65.

[N.B.—*A trustee, teacher, inspector or officer of the Department of Education who is concerned or interested in the sale of books or supplies, and any one employing or paying him to act as agent or otherwise, are liable to the penalties imposed by the The Department of Education Act. Rev. Stat., c. 265.*]

Recovery of
penalties.
Rev. Stat.
c. 90.

66.—(1) The penalties imposed by this Act shall be recoverable under *The Ontario Summary Convictions Act*.

(2) Any ratepayer, trustee or high school teacher may take proceedings to recover any such penalty. ^{Who may prosecute.}

(3) Unless otherwise provided all such penalties shall be payable to the treasurer of the board of the high school district in which the offence was committed and shall be applied to high school purposes, except when the penalty is imposed upon a treasurer, secretary or secretary-treasurer, in which case the same shall be payable to the chairman of the board and shall be applied to high school purposes. R.S.O. 1914, c. 268, s. 66. ^{Payment and application of penalties.}

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The Separate Schools Act

Revised Statutes of Ontario, 1914

Chapter 270

with Amendments thereto,
1914 to 1925 inclusive



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DEPARTMENT OF EDUCATION

TORONTO

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NOTICE

This pamphlet is published as a compilation only and is not to be regarded as an official consolidation.

The Separate Schools Act

(R.S.O. 1914, Chapter 270)

and Amendments thereto, 1914 to 1925 inclusive

An Act respecting Separate Schools.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Separate Schools Act*, short title. R.S.O. 1914, c. 270, s. 1.

PART I.

PROTESTANT AND COLOURED SEPARATE SCHOOLS

2. Upon the application in writing of five or more heads of families resident in a township, city, town or village, being Protestants, the municipal council of the township or the board of public school trustees of the city, town or village shall authorize the establishment therein of one or more separate schools for Protestants. Conditions on which separate schools may be established. R.S.O. 1914, c. 270, s. 2.

3. Upon the application in writing of five or more heads of families resident in a township, city, town or village, being coloured people, the municipal council of the township or the board of public school trustees of the city, town or village shall authorize the establishment therein of one or more separate schools for coloured people. Coloured people. R.S.O. 1914, c. 270, s. 3.

4. In a township the council shall prescribe the location of the school or schools authorized to be established under the next preceding two sections. Location. R.S.O. 1914, c. 270, s. 4.

5. No person shall be a supporter of any separate school for coloured people unless he resides within three miles in a direct line of the site of the school house. Who may be supporter of school for coloured people. R.S.O. 1914, c. 270, s. 5.

6. There shall be three trustees for each separate school and the first meeting for their election shall be held and conducted in the manner provided by section 27. Election of trustees. R.S.O. 1914, c. 270, s. 6.

7. On the 25th day of December next following the date of the application mentioned in section 2 and section 3 the separate school shall go into operation, and shall, with respect Commencement and regulations.

to the persons for whom it is established, be under the same regulations as the public schools. R.S.O. 1914, c. 270, s. 7.

Voters
defined.

8. None but coloured people shall vote at the election of trustees of a separate school established for coloured people; and none but the persons petitioning for the establishment of or sending children to a Protestant separate school shall vote at the election of trustees of such school. R.S.O. 1914, c. 270, s. 8.

Union of
wards in
cities and
towns.

9. In a city or town the persons who make the application may have a separate school in each ward, or in two or more wards united as they may judge expedient. R.S.O. 1914, c. 270, s. 9.

Restriction
upon estab-
lishment of
Protestant
school.

10. No Protestant separate school shall be established in any school section except when the teacher of the public school in such section is a Roman Catholic. R.S.O. 1914, c. 270, s. 10.

Exemption
from public
school rates.

11.—(1) In a city, town, village or township public school section in which a separate school exists, every Protestant or coloured person, as the case may be, paying rates, whether as owner or tenant, and being a supporter of such school, shall be exempt from the payment of all rates imposed for the support of public schools and public school libraries, or for the purchase of land or the erection of buildings for public school purposes, within the city, town, village or section in which he resides, for the then current year, and every subsequent year thereafter while he continues a supporter of the school.

Exemption
conditional.

(2) Such exemption shall not extend beyond the period during which such person is a supporter of the school, or to school rates or taxes imposed or to be imposed to pay for school-houses, the erection of which was undertaken or entered into before the establishment of the separate school. R.S.O. 1914, c. 270, s. 11.

Not to
share.

12. Separate schools shall not share in money raised by local municipal assessment for public school purposes. R.S.O. 1914, c. 270, s. 12.

Share of
legislative
grant.

13. Every separate school shall share in the legislative public school grants in like manner as a public school. R.S.O. 1914, c. 270, s. 13.

Half-yearly
return to
inspector.

14.—(1) The trustees of every separate school shall, on or before the 30th day of June and the 31st day of December of each year, transmit to the public school inspector a correct return of the names of all Protestant or coloured persons, as the case may be, who have sent children to or who have subscribed for the support of such separate school during the last preceding six months, the names of the children sent and

the amounts subscribed, together with a statement of the average attendance of pupils in the separate schools during such period.

(2) The Inspector shall, upon the receipt of the return, forthwith make a return to the clerk of the municipality in which the separate school is established stating the names of all the persons who being Protestant or coloured persons, as the case may be, contribute, or send children to the separate school.

Inspector to report to clerk.

(3) Except for a rate for building school-houses undertaken before the establishment of the separate school the clerk shall not include in the collector's roll for the general or other school rate, and the board of trustees shall not include in their school rolls any person whose name appears upon the last mentioned return.

Exemption of supporters of separate schools from rates.

(4) The clerk or other officer of the municipality within which a separate school is established, having possession of the assessor's or collector's roll of the municipality, shall allow any trustee or the authorized collector of the board to make a copy of such roll so far as it relates to their school section. R.S.O. 1914, c. 270, s. 14.

Use of assessor's roll by board.

15. Sections 28 to 49, 51 to 54, and 89 shall apply to the trustees and teachers of such separate schools. R.S.O. 1914, c. 270, s. 15.

Application of ss. 28 to 49, 51 to 54, and 89.

16. The trustees of a separate school shall be a body corporate under the name of "The Trustees of the Protestant (or Coloured) Separate School of (as the case may be), in the Township (City, Town or Village, as the case may be), of ,", and shall have such powers as to imposing, levying and collecting school rates or subscriptions upon and from persons sending children to or subscribing towards the support of the separate school as are provided by section 67. R.S.O. 1914, c. 270, s. 16.

Corporate name.

Powers.

PART II.

ROMAN CATHOLIC SEPARATE SCHOOLS.

ESTABLISHMENT.

17. This Part shall apply to separate schools for Roman Catholics now or hereafter established. R.S.O. 1914, c. 270, s. 17.

Application of following part of Act.

18. In this Part,

Interpretation.

(a) "Regulations" shall mean regulations made under *The Department of Education Act*;

"Regulations," Rev. Stat. c. 265.

"Rural School."

- (b) "Rural school" shall mean separate school for Roman Catholics in a township or in territory without municipal organization;

"Secretary-treasurer."

- (c) "Secretary" or "Treasurer" shall include a Secretary-Treasurer;

"Separate School."

- (d) "Separate school" shall mean separate school for Roman Catholics;

"Urban School."

- (e) "Urban school" shall mean separate school for Roman Catholics in a city, town or village. R.S.O. 1914, c. 270, s. 18.

Meeting to establish a separate school.

19. Not less than five heads of families, being householders or freeholders resident within any public school section of a township, or within a city, town or village, and being Roman Catholics, may convene a public meeting of persons desiring to establish a separate school therein for the election of trustees. R.S.O. 1914, c. 270, s. 19.

Election of trustees.

20. A majority of the persons present, being householders or freeholders, and Roman Catholics, may at such meeting elect from the duly qualified persons the requisite number of trustees. R.S.O. 1914, c. 270, s. 20.

Notice of meeting; and to whom given.

21.—(1) Notice in writing that such meeting has been held, and of such election, shall be delivered by one of the trustees so elected to the head of the municipality or to the chairman of the board of public school trustees in the township, village, town or city in which the school is about to be established, designating by their names, occupations and residences the persons elected as trustees.

Notification of result to Department.

(2) The officer receiving the notice shall endorse thereon the date of its receipt, and shall deliver a copy of the same so endorsed and duly certified by him to such trustee, who shall forthwith transmit the same and a copy of the minutes of the meeting and of the notice calling it to the Department of Education.

Corporate name of trustees.

(3) From and after the delivery of the notice to such officer the trustees therein named shall be a body corporate under the name, in the case of a city, town or village, of "The Board of Trustees of the Roman Catholic Separate Schools for the City (or town or village) of " and in the case of rural boards of "The Board of Trustees of the Roman Catholic Separate School for School Section Number , in the Township of ." R.S.O. 1914, c. 270, s. 21.

SCHOOL BOARDS IN TERRITORY WITHOUT MUNICIPAL ORGANIZATION.

22.—(1) In unorganized townships and in any part of Ontario not surveyed into townships any number of heads of families, not less than ten, who are Roman Catholics, may, at a public meeting called for that purpose, elect three of their number as school trustees, and the trustees so elected shall have all the powers of public school boards in unorganized townships, and shall in all other respects be subject to the provisions of this Act. Meeting for purpose of electing trustees.

(2) On receipt of notice by the Department of Education, signed by the trustees so elected, that a school has been established and suitable accommodation provided for school purposes the Minister of Education may pay to the board out of the appropriation made by this Legislature for public and separate schools such sum for the maintenance of the school as may be approved by the Lieutenant-Governor in Council. Legislative grants.

(3) The board may appoint a fit and proper person, who may be one of the trustees, to collect the rates imposed upon the supporters of the school or the sums which the inhabitants or others have subscribed or a rate-bill imposed upon any person, and may pay to such collector at the rate of not less than five nor more than ten per centum on the money collected by him; and every collector shall give such security as may be required by the board. Appointment of collector.

(4) Every collector shall have the same powers in collecting the school rate, rate-bill or subscription and shall be under the same liabilities and obligations and proceed in the same manner as a township collector in collecting rates in a township R.S.O. 1914, c. 270, s. 22. Powers and duties of collectors.

RURAL SEPARATE SCHOOLS.

Meetings of Supporters and Elections.

23. For every rural school there shall be three trustees each of whom, after the first election, shall hold office for three years and until his successor has been elected. R.S.O. 1914, c. 270, s. 23. Trustees' term of office.

24.—(1) The trustees elected at the first meeting shall hold office, Retirement by rotation.

- (a) the person first elected, for two years from the annual school meeting next after his election and until his successor has been elected;

- (b) the person secondly elected, for one year from such annual school meeting and until his successor has been elected;
- (c) the person last elected, until the next ensuing annual school meeting and until his successor has been elected.

Vacancies.

(2) A trustee elected to fill a vacancy shall hold office only for the unexpired term of the person in whose place he has been elected.

Resignations.

(3) A trustee may resign with the consent in writing of the other trustees.

Re-election.

(4) A retiring trustee may be re-elected with his own consent, otherwise he shall be exempted from serving for four years next after leaving office. R.S.O. 1914, c. 270, s. 24.

Trustees' qualification.

25. Any person being a British subject, not less than twenty-one years of age, may be elected as a trustee whether he is or is not a householder or freeholder. R.S.O. 1914, c. 270, s. 25.

Electors, qualification of.

26. Every householder or freeholder of the full age of twenty-one years, who is a supporter of a rural separate school, shall be entitled to vote at any election for school trustee or on any school question at any annual or special meeting of the supporters of such school. R.S.O. 1914, c. 270, s. 26.

Annual meeting, when held.

27.—(1) A meeting of the supporters of the school shall be held annually on the last Wednesday of December, or if that day is a holiday on the next day following, commencing at ten o'clock in the forenoon, or if the board by resolution so directs at seven o'clock in the afternoon, for the purpose, among other things, of electing a school trustee or trustees.

Organization of meeting.

(2) The supporters of the school present at the meeting shall elect one of themselves to preside over its proceedings and shall also appoint a secretary who shall record the proceedings of the meeting and perform such other duties as are required of him by this Part.

Order of business.

(3) The business of the meeting may be conducted in the following order,—

- (a) receiving and dealing with the annual report of the trustees;
- (b) receiving and dealing with the annual report of the auditors;
- (c) electing one or more auditors for the current year;

(d) electing a trustee or trustees to fill any vacancy or vacancies; and

(e) miscellaneous business.

(4) The chairman shall preside and shall submit all motions to the meeting in the manner desired by the majority, and the chairman shall not be entitled to vote except in the case of an equality of votes, when he shall give the casting vote, and he shall decide all questions of order subject to an appeal to the meeting. Chairman, duties of.

(5) Where a poll is demanded by two supporters of the school at a meeting for the election of a trustee the chairman shall forthwith grant the same, and the secretary shall thereupon immediately proceed to record as herein directed the names of all qualified supporters of the school who present themselves within the prescribed time, and shall enter in the poll book, at the head of separate columns, the names of the candidates proposed and seconded, and opposite to such columns shall write the names and residences of the supporters offering to vote, and shall, in the column in which is entered the name of a candidate voted for; set the figure "1" opposite the voter's name. Granting poll and proceedings in case of a poll.

(6) Where a poll is demanded upon a school question by any two supporters the name of each supporter shall be similarly placed opposite separate columns marked "for" or "against." Entries in poll-book.

(7) Where an objection is made to the right of a person to vote at an annual or special meeting, either for trustee or upon a school question, the chairman shall require the person whose right to vote is objected to to make the following declaration: When voter is objected to.

I, A.B., declare

- (a) That I am an assessed householder or freeholder in School Section No. —; Declaration by voter.
- (b) That I am of the full age of 21 years;
- (c) That I am a supporter of the Roman Catholic Separate School in said School Section No. —;
- (d) That as such supporter I have the right to vote at this meeting,

whereupon the person making such declaration shall be entitled to vote.

(8) The poll shall not close before noon, but shall close at any time thereafter when a full hour has elapsed without any vote being polled, and shall not be kept open later than four o'clock in the afternoon. When poll shall close.

(9) When the meeting is held at seven o'clock in the afternoon the supporters present may decide by resolution that Polling at afternoon meetings.

the polling shall take place forthwith or at ten o'clock on the following morning, and if it takes place forthwith the poll shall close when ten minutes have elapsed without any vote being recorded.

Transmitting minutes to Department. (10) A correct copy of the minutes of every meeting, signed by the chairman and secretary, shall be forthwith transmitted by the chairman to the Department of Education.

Meetings to be called in default of first or annual meetings. (11) If from want of proper notice or other cause any meeting for the election of trustees is not held at the proper time any two supporters of the school may call a meeting by giving six days' notice posted up in at least three of the most public places in the locality in which the school is situate; and the meeting thus called shall possess all the powers and perform all the duties of the meeting in the place of which it is called. R.S.O. 1914, c. 270, s. 27.

Organization of Board.

Organization and quorum. **28.** A majority of the trustees shall form a quorum, and the board shall be organized by the election of a chairman and of a secretary and a treasurer or of a secretary-treasurer. R.S.O. 1914, c. 270, s. 28.

Regularity. **29.** No act or proceeding shall be valid which is not adopted at a regular or special meeting of the board of which notice has been given as required by this Act and at which at least two trustees are present. R.S.O. 1914, c. 270, s. 29.

Duties of Secretary.

Duties of secretary. **30.** It shall be the duty of the secretary to

- (a) keep a full and correct record of the proceedings of every meeting of the board in the minute book provided by the trustees, and see that the minutes, when confirmed, are signed by the chairman or presiding trustee;
- (b) call, at the request in writing of two trustees, a special meeting of the board;
- (c) give notice of all meetings to each of the trustees by notifying him personally or in writing, or by sending a written notice to his residence. R.S.O. 1914, c. 270, s. 30.

Duties of Treasurer.

Duties of Treasurer. **31.** It shall be the duty of the treasurer to

- (a) receive all school money collected from the supporters of the school and account for the same;

- (b) disburse all such money in the manner directed by the board;
- (c) produce all papers and money belonging to the corporation whenever called upon to do so by the board, the auditors or other competent authority, and afford to the auditors all the information in his power as to the receipt and expenditure of school money. R.S.O. 1914, c. 270, s. 31.

Appointment of Auditor by Minister.

32. Where a board neglects or the ratepayers at an annual or special meeting neglect to appoint an auditor, or an auditor appointed refuses or is unable to act, the Minister, upon the request in writing of any five supporters of the school, may make the appointment. R.S.O. 1914, c. 270, s. 32.

Appointment of auditor by Minister.

Union Boards.

33.—(1) The majority of the supporters of each of the separate schools situate in two or more public school sections, whether in the same or in adjoining municipalities, at a public meeting duly called by the board of each separate school may form a union separate school of which union the trustees shall give notice within fifteen days to the clerk or clerks of the municipality or municipalities and to the Minister of Education, and every union separate school thus formed shall be deemed one school for all Roman Catholic separate school purposes, and shall every year thereafter be represented by three trustees to be elected by the supporters of the union separate school as provided by section 27.

What unions may be formed.

(2) The trustees shall be a body corporate under the name of "The Board of Trustees of the Roman Catholic Union Separate Schools for the United Sections numbers _____ in the _____." R.S.O. 1914, c. 270, s. 33.

Corporate name.

School Sites.

34.—(1) The board shall have power to select a site for a new school-house or to agree upon a change of site for an existing school-house, and shall forthwith call a special meeting of the supporters of the school to consider the site selected; and no site shall be adopted or change of school site made except in the manner hereinafter provided without the consent of the majority of such special meeting.

Selection and change of school site.

(2) If a majority of the supporters present at such special meeting differ as to the suitability of the site selected each party shall then and there appoint an arbitrator, and the inspector of separate schools for the district in which the

Arbitration when trustees and ratepayers differ as to site.

school is situate, or, in case of his inability to act, a person appointed by him to act on his behalf, shall be the third arbitrator; and such three arbitrators, or a majority of them present at any lawful meeting, shall have authority to make and publish an award upon the matter submitted to them.

Award.

Reconsidera-
tion of
award.

(3) With the consent or at the request of the parties to the reference the arbitrators, or a majority of them, shall have authority, within one month from the date of their award, to reconsider such award and within two months thereafter to make and publish a second award, which award, or the previous one if not reconsidered by the arbitrators, shall be binding upon all parties concerned for at least five years from the date thereof. R.S.O. 1914, c. 270, s. 34.

Separation.

Establish-
ment of
separate
school in a
portion of
rural
section.

35.—(1) Where a separate school has been established in a public school section which includes an urban municipality or a portion of an urban municipality, and a township or a portion of a township, and a majority of the ratepayers assessed as separate school supporters in such township or portion of a township petition the board of such separate school to notify the Inspector of separate schools that the separate school supporters in such township or portion of a township are desirous of establishing a separate school therein, the Inspector may signify in writing to the board his approval of the establishment of such separate school; and thereupon a meeting may be held for the establishment of a separate school and the election of trustees, and such school may be established and trustees may be elected in the manner provided by this Part.

Arbitration.

(2) The Inspector and two other persons, one of whom shall be chosen by the separate school board of such urban municipality and the other by the board of the separate school so established in such township or portion of a township, shall constitute a board of arbitrators who, or a majority of whom, shall determine what proportion of the assets and liabilities of the original separate school board shall belong to, be paid to or be borne by the separate school board of such urban municipality and the board of such rural separate school respectively, and shall adjust all matters consequent upon such separation, and the award of such arbitrators shall be final and binding.

Property
liable for
debentures.

(3) Nothing in this section shall relieve any property from liability for rates levied or to be levied for payment of school debentures issued prior to the establishment of such township separate school. R.S.O. 1914, c. 270, s. 35.

URBAN BOARDS.

Trustees and Tenure of Office.

36.—(1) For every ward into which a city or town is divided there shall be two trustees each of whom, after the first election, shall continue in office for two years. Trustees in city, etc., divided into wards.

(2) One of the trustees in each ward chosen at the first election, to be determined by lot at the first meeting of the board after their election, which determination shall be entered upon the minutes, shall retire from office at the time appointed for the next annual school election and the other shall continue in office one year longer. R.S.O. 1914, c. 270, s. 36. Retirement by rotation.

(3) In towns divided into wards the board by resolution may limit the number of trustees to six, provided that at least one month's notice was given of the intention to consider a resolution to that effect, and such limitation shall not come into operation until the close of the current school year. Number of trustees may be limited to six by resolution.

(4) When such resolution has been adopted the election shall thereafter be by vote of the separate school ratepayers of the whole municipality. Effect of adoption of resolution.

(5) The board shall by lot determine what trustee or trustees shall retire in addition to the number retiring by annual rotation in order to admit of the election of three new trustees at the next annual election, and thereafter three trustees shall be elected annually by the separate school ratepayers of the whole municipality to fill the place of the same number retiring by rotation. 1922, c. 99, s. 2. Retirement.

37.—(1) In every village there shall be six trustees, each of whom, after the first election, shall continue in office for two years. Trustees in village.

(2) Three of the trustees chosen at the first election to be determined by lot at the first meeting of the board after their election, which determination shall be entered upon the minutes, shall retire from office at the time appointed for the next annual school election and the other three shall continue in office one year longer. R.S.O. 1914, c. 270, s. 37. Retirement by rotation.

38. A trustee shall continue in office until his successor has been elected. R.S.O. 1914, c. 270, s. 38. Term of office.

Election of Trustees.

39.—(1) A meeting of the supporters of every urban school for the nomination of candidates for the office of school trustee shall take place at noon on the last Wednesday in the Nominations.

month of December annually, or if that day is a holiday on the day following, at such place as shall from time to time be fixed by resolution of the board, and in municipalities divided into wards in each ward if the board thinks fit, and the board shall give at least six days' notice of the meeting.

Returning officer.

(2) The board shall by resolution name the returning officers to preside at the meetings for the nomination of candidates, and in case of the absence of any such officer a chairman chosen by the meeting shall preside.

Proceedings at nominations.

(3) If at the meeting only the number of candidates necessary to fill the vacant offices is proposed and seconded the returning officer or chairman, after the lapse of one hour, shall declare such candidates duly elected, and shall notify the secretary of the board; but if two or more candidates are proposed and seconded for any one office, and a poll in respect of such office is demanded by any candidate or school supporter the returning officer or chairman shall adjourn the proceedings for filling the office until the first Wednesday of the month of January then next, when polls shall be opened at such places and in each ward, where wards exist, as shall be determined by resolution of the board.

Hours of polling.

(4) The polls shall be opened at ten o'clock in the forenoon and shall continue open until five o'clock in the afternoon and no longer, and a poll may close at any time after eleven o'clock in the forenoon when a full hour has elapsed without any vote having been polled.

Place for nomination and election.

(5) The board shall, before the second Wednesday in December in each year, by resolution, fix the places for the nomination meetings and for holding the election in case of a poll, and name the returning officers who shall preside at the respective polling places, and forthwith give public notice thereof.

Duty of returning officer after close of election.

(6) The returning officer or chairman shall, on the day after the close of the election, return the poll book to the secretary of the board with his solemn declaration thereto annexed that the poll book has been correctly kept and contains a true record of the votes given at the polling place for which he was returning officer.

Duty of secretary.

(7) The secretary shall add up the number of votes for each candidate for any office as appears from the poll book so returned, and shall declare elected the candidate or candidates having the highest number of votes.

Casting vote.

(8) If two or more candidates have an equal number of votes at the first meeting of the board held after the election the member present who is assessed highest as a supporter

of the school on the last revised assessment roll shall give a vote for one or more of such candidates so as to decide the election.

(9) The voting for the election of trustees and for all other urban school purposes shall be by open vote, except as otherwise provided by section 40. Voting to be open.

(10) In a city or town divided into wards the clerk of the municipality shall furnish to the board, within three days after request in writing, the voters' list for each ward annexing thereto a list of the names of all supporters of separate schools for Roman Catholics, and also a list of the names, alphabetically arranged, of all ratepayers and persons entitled to vote in respect of income rated upon the then last revised assessment roll and not being already upon the voters' list. Furnishing voters' list in cities and towns divided into wards.

(11) In towns not divided into wards and in villages the clerk of the municipality shall furnish to the board within three days after request in writing the voters' list for each polling subdivision in such town or village, as provided by the next preceding subsection. Furnishing voters' list in towns not divided into wards, and in villages.

(12) The board shall provide every polling place with such lists and with a poll book. For each polling place.

(13) At every election at which a poll is demanded the returning officer or chairman or the poll clerk shall enter in the poll book at the head of separate columns the names of the candidates proposed and seconded at the nomination, and shall opposite to such columns write the names and residences of the school supporters offering to vote at the election, and shall in each column in which is entered the name of the candidate voted for set the figure "1" opposite the voter's name, and where a poll is demanded upon any school question the name of each voter shall be similarly placed opposite separate columns headed "for" or "against." Entries in poll book.

(14) If an objection is taken to the right of any person to vote the returning officer or chairman shall require the person whose right to vote is objected to to take the declaration mentioned in subsection 7 of section 27. Declaration by voters.

(15) Where a school supporter resides without the municipality in which the school is situate he shall be entitled to vote in that ward or division of the municipality in which the school house is situate which is nearest to his place of residence. R.S.O. 1914, c. 270, s. 39. Where non-resident is to vote.

40.—(1) The board may, by resolution passed between the first day of May and the first day of October in any year, Adoption of ballot.

require the election of members of the board to be by ballot and to be held on the days on which the annual municipal elections are held.

Discontinu-
ance.

(2) The board may in like manner discontinuē the use of the ballot, and thereafter elections shall be conducted as provided by section 39.

Ballot not
to be dis-
continued or
resumed for
three years
after the
change.

(3) Where the board requires the voting to be by ballot and elections are so held no change shall be made in the mode of voting for a period of three years, and if the mode of voting by ballot is discontinued the provisions of section 39 shall apply for a period of three years at least after such discontinuance. R.S.O. 1914, c. 270, s. 40.

Municipal
Act to
apply.

1922, c. 72.

41. Where the voting is to be by ballot the provisions of *The Municipal Act* for and relating to holding the annual municipal elections, including those as to recount, secrecy of proceedings, offences and penalties, shall apply *mutatis mutandis*, except that

Form of
oath.

(a) the oath to be taken by a voter shall be:

You swear that you are the person named (*or intended to be named*)
in the list of voters now shown to you (*showing the list to the voter*);

That you are a ratepayer;

That you are of the full age of twenty-one years;

That you are a Roman Catholic Separate School supporter;

That you have not voted before at this election;

That you have not, directly or indirectly, received any reward or gift and do not expect to receive any for the vote which you tender at this election;

That you have not received anything, nor has anything been promised you directly or indirectly, either to induce you to vote at this election, or for loss of time, travelling expenses, hire of team or any other service connected with this election;

That you have not directly or indirectly paid or promised anything to any person either to induce him to vote or refrain from voting at this election;

So help you God;

Casting
vote.

(b) when the result of the polling is indecisive by reason of two or more candidates having an equal number of votes all of them shall be notified of the first meeting of the board after the election, and the member of the board present at such meeting who is assessed for the largest sum on the last revised assessment roll shall, before the organization of the board, give a vote for one or more of such candidates so as to decide the election;

Duties of
secretary.

(c) the duties to be performed by the clerk shall be performed by the secretary; and

- (d) the word "secretary" shall be substituted for the words "clerk" or "clerk of the municipality" wherever they occur. R.S.O. 1914, c. 270, s. 41.

Irregularities not to void Elections.

42. No election shall be invalid by reason of non-compliance with the provisions of this Act as to the taking of the poll or the counting of the votes, or by reason of any mistake in the use of forms, or of any irregularity, if it appears that the election was conducted in accordance with the principles laid down in this Act, and that such non-compliance or mistake or irregularity did not affect the result of the election. R.S.O. 1914, c. 270, s. 42.

No election to be invalid for want of compliance with principles of Act where result not affected.

Controverted Elections.

43.—(1) A judge of the county or district court, if a complaint respecting the validity or mode of conducting the election of any trustee in any municipality within his county or district is made to him within twenty days after such election, shall receive and investigate such complaint, and shall thereupon within a reasonable time, in a summary manner, hear and determine the same.

Investigation of complaints by judge.

(2) The judge may by order cause the assessment rolls, collector's rolls, poll books and any other records of the election to be brought before him, and may inquire into the facts on affidavit or by oral testimony, and may cause such persons to appear before him as he may deem expedient, and may confirm the election or set it aside, or declare that some other candidate was duly elected.

Powers of judge.

(3) The judge may order a person found by him not to have been duly elected to be removed; and if the judge determines that any other person was duly elected he may order him to be admitted; and if he determines that no other person was duly elected instead of the person removed he shall order a new election to be held and shall report such decision to the secretary of the board.

Order of judge.

(4) The provisions of *The Municipal Act* as to bribery and undue influence shall apply, and, where the election is complained of on those grounds, the inquiry by the judge in reference thereto shall be by oral testimony only. R.S.O. 1914, c. 270, s. 43.

Bribery and undue influence. 1922, c. 72.

MEETINGS OF THE BOARD.

44.—(1) At the first meeting in each year the secretary shall preside or, if there is no secretary, the members present shall select one of themselves to preside at the election of

Chairman at first meeting.

chairman, and the member so selected to preside may vote as a member.

Casting
vote.

(2) In case of an equality of votes at the election of chairman the member present who is assessed as a separate school supporter for the largest sum on the last revised assessment roll shall have a second or casting vote in addition to his vote as a member.

Subsequent
meetings.

(3) Subsequent meetings of the board shall be held at such times and places as may from time to time be fixed by resolution of the board.

Special
meetings.

(4) Special meetings of the board may be called by the chairman, and shall be called on the request in writing of two members of the board specifying the objects for which the meeting is to be held, which shall also be stated in the notice called the meeting.

Presiding
officer.

(5) The chairman shall preside or, in his absence, any member appointed to act as chairman by the majority of those present, and the chairman or member so acting may vote with the other members on all questions, and any question on which there is an equality of votes shall be deemed to be negatived.

Equality
of votes.

Quorum.

(6) A majority of the members of the board shall constitute a quorum, but for the purposes of subsection 8 of section 39 a majority of the trustees remaining in office shall constitute a quorum. R.S.O. 1914, c. 270, s. 44.

DUTIES AND POWERS OF TRUSTEES.

Duties of
board.

45. It shall be the duty of every board and it shall have power to

Appoint-
ment of
officers.

(a) appoint a secretary and a treasurer or a secretary-treasurer and one or more collectors, if requisite, of the school fees or rate bills;

(i) The collector or collectors, and secretary and treasurer, or secretary-treasurer may be members of the board, and shall discharge duties, be subject to obligations and penalties, and have powers similar to those of like officers of the corporation of a municipality;

Appoint
auditors.

(b) appoint annually on or before the 1st day of December an auditor or auditors;

- (c) lay all the accounts of the board before the audi- Accounts.
tors, together with the agreements, vouchers, con-
tracts and books in its possession, and afford the
auditors all the information in its power as to the
receipt and expenditure of school money;
- (d) provide adequate accommodation and legally quali- To provide
accommoda-
tion and
teachers.
fied teachers, according to the provisions of this
Act and the Regulations, for all children between
the ages of five and twenty-one years of the sup-
porters of the schools under the control of the board
according to the annual enumeration of the assessors
for the next preceding year;
- (e) acquire or rent school sites and premises, and build, To provide
and main-
tain school
premises.
repair, furnish and keep in order the school houses,
furniture, fences and all other school property, and
keep the wells, closets and premises in proper sani-
tary condition;
- (f) where the board does not appoint a collector, apply Collection
of rates.
to the municipal council, on or before the first
day of August in each year, for the levying and
collection of all sums for the support of their schools,
and for any other school purposes authorized by
this Act to be collected from the supporters of the
separate schools under the control of the board,
laying before the council an estimate of such sums;
- (g) give notice in writing, before the 15th day of January, Notice of
names and
addresses.
in each year, to the Department of Education of
the names and post-office addresses of the trustees
then in office and of the teachers employed by the
board, and give reasonable notice in writing from
time to time of any changes therein;
- (h) give orders on the treasurer of the board for all Orders for
money
expended.
money to be expended for school purposes;
- (i) exempt, in its discretion, from the payment of school Exemptions
and notice
thereof.
rates wholly or in part, any indigent person; and
give notice of such exemption, when the school rate
is collected by the municipal council, to the clerk of
the municipality on or before the first day of August;
- (j) dismiss from a school any pupil who is adjudged Dismissal of
refractory
pupils.
by the board and the teacher to be so refractory
that his presence in school is injurious to other
pupils, and, where practicable, remove such pupil
to an industrial school;

Possession
and custody
of property.

- (k) take possession and have the custody and safe keeping of all school property acquired or given for school purposes; and acquire and hold as a corporation, by any title whatsoever, land, movable property, money or income given to or acquired by the board at any time for school purposes and hold or apply the same according to the terms on which it was acquired or received; and dispose by sale or otherwise of any school site or school property not required in consequence of a change of school site or other cause, and convey the same and apply the proceeds thereof to school purposes or as provided by this Act;

Annual
report.

- (l) prepare and transmit annually, before the 15th day of January, to the Minister of Education, in the prescribed form, a report signed by the chairman containing all information required by the Regulations;

Other
powers and
duties.

- (m) exercise all such other powers and perform all such other duties of public school boards as are applicable to the case of separate schools, except as to matters as to which other provision is made by this Act;

Supervision.

- (n) see that every school under its charge is conducted according to this Act and the Regulations, and provide school registers and a visitors' book in the prescribed form;

Travelling
expenses
attending
teachers'
association.

- (o) at its discretion pay the travelling expenses of any member of the board or of any teacher in its employment incurred in attending meetings of the Ontario Educational Association or other like association of teachers in Ontario;

In the case of an urban board,

Determine
number of
and kind of
schools, etc.

- (p) determine the number, kind, grade and description of schools to be established and maintained, the teachers to be employed, the terms on which they are to be employed, the amount of their remuneration and the duties which they are to perform;

To appoint
a committee
for each
school.

- (q) appoint from its members annually, or oftener if deemed expedient, and under such regulations as may be deemed proper, a committee of not more than three for the special charge, oversight and management of each school within the city, town or village, and see that all the schools under its charge are conducted according to the regulations;

- (r) collect, at its discretion, from the parents or guardians of children attending any school under its charge a sum not exceeding twenty cents per month per pupil to defray the cost of textbooks, stationery and other contingencies, and see that all the pupils are duly supplied with a uniform series of textbooks; Books and school supplies.
- (s) expend such sums as it may deem expedient for establishing and maintaining cadet corps and for promoting and encouraging gymnastic or other athletic exercises not exceeding \$200 per annum where the annual registered attendance of pupils does not exceed 3,000, and \$50 additional for each additional 1,000, and provide uniforms for classes in military drill; Cadet corps and athletics.

In the case of a rural board,

- (t) appoint the place of each annual school meeting of the supporters of the school, and the time and place of any special meeting for Time and place of meetings.
 - (i) filling any vacancy in the board,
 - (ii) the selection of a new school site,
 - (iii) the appointment of a school auditor, or
 - (iv) any other school purpose, and cause notices of the time and place and of the objects of such meetings to be posted in three or more public places of the neighbourhood in which the school is situate at least six days before the time of holding the meeting;
- (u) arrange for the payment of teachers' salaries quarterly and, if necessary, borrow on its promissory note, under the seal of the corporation, at interest not exceeding eight per cent. per annum, the money required for that purpose until the taxes are collected; Payment of salaries.
- (v) cause to be prepared and read at the annual school meeting a report for the year then ending, containing among other things a summary of the proceedings of the board during the year, together with a full and detailed account of the receipts and expenditures of all school money during such year, and signed by the chairman and by one or both of the school auditors; Annual report.
- (w) ascertain and report to the Minister of Education, at least once in each year, the names and ages of Report on blind, deaf and dumb.

all children of school age who would otherwise be required to attend a school under its charge, who are deaf and dumb or blind. R.S.O. 1914, c. 270, s. 45.

Providing attendance for minor surgical operations.

- (x) If deemed expedient, to provide for surgical treatment of children attending the school suffering from minor physical defects, where in the opinion of the teacher and (where a school nurse or medical inspector is employed) of the nurse and medical inspector, the defect interferes with the proper education of the child, and to include in their estimates for the current year the funds necessary for cases where the parents are not able to pay. 1920, c. 101, s. 1.

VACANCY IN OFFICE OF TRUSTEE.

Vacancy in office of trustees.

46.—(1) If a vacancy in the office of trustee occurs from any cause the remaining trustees shall forthwith take steps to hold a new election to fill the vacancy, and the person thereupon elected shall hold his seat for the residue of the term for which his predecessor held office.

Proceedings at new election.

(2) The new election shall be conducted in the same manner and be subject to the same provisions as an annual election, and, in the case of an urban board, the board shall give at least six days' notice of the meeting for the nomination of candidates, and, if a poll is demanded, the election shall be held one week from the day of the nomination. R.S.O. 1914, c. 270, s. 46.

TEACHERS.

Valid agreements with teacher.

47. Every agreement between a board and teacher, to be valid and binding, shall be in writing signed by the parties thereto, and sealed with the corporate seal of the board, and may include a stipulation to provide the teacher with board and lodging. R.S.O. 1914, c. 270, s. 47.

Duties of teacher.

48. It shall be the duty of every teacher to

Instruction.

- (a) teach diligently and faithfully all the branches required to be taught in the school according to the terms of his agreement with the board and according to the provisions of this Act and the Regulations;

Keeping registers.

- (b) keep in the prescribed form the general, entrance, and daily class or other registers of the school, and record therein the admission, promotion, suspension or removal of the pupils.

- (c) maintain proper order and discipline in his schools according to the Regulations; Order and discipline.
- (d) keep a visitors' book, which the board shall provide, and enter therein the visits made to his school, and request every visitor to enter therein any remarks suggested by his visit; Visitors' book.
- (e) afford the trustees and visitors access at all times when desired by them to the registers and visitors' book; Give access to register and visitors' book.
- (f) deliver up the school register, visitors' book, school-house key or other school property in his possession on the demand or order of the board; Deliver up register and key.
- (i) In case of his wilful refusal so to do he shall not be deemed a qualified teacher until restitution is made, and shall also forfeit any claim which he may have against the board;
- (g) hold during each term a public examination of his pupils, of which he shall give due notice to the trustees, to any school visitors whose place of residence is adjacent to the school house, and through the pupils to their parents or guardians; Examinations.
- (h) furnish to the Minister of Education, or to the separate school inspector, from the trustees' report or otherwise, any information which it is in his power to give respecting anything connected with the operations of his school or in any wise affecting its interest or character; To furnish information to the Minister and Inspector.
- (i) prepare so far as the school registers supply the information such reports of the board as are required by the Regulations. R.S.O. 1914, c. 270, s. 48. To prepare reports.

49. An authorized text book in actual use may be changed by the teacher for any other authorized text book on the same subject with the written approval of the board and subject to the Regulations. R.S.O. 1914, c. 270, s. 49. Change of textbooks.

50. Subject to the provisions of the Act passed in the seventh year of the reign of His late Majesty King Edward the Seventh, chaptered 52, and the amendments thereto, teachers shall be subject to the same examinations and receive their certificates of qualification in the same manner as public school teachers. R.S.O. 1914, c. 270, s. 50. Certificates to teachers of separate schools.

Proportion of salary to which teacher is entitled.

51. Unless otherwise expressly agreed a teacher shall be entitled to be paid his salary in the proportion which the number of days during which he has taught bears to the whole number of teaching days in the year. R.S.O. 1914, c. 270, s. 51.

Case of sickness or dental treatment.

52. Every teacher shall be entitled to his salary notwithstanding his absence from duty on account of sickness for a period not exceeding four weeks in any one year of his employment if the sickness is certified to by a physician, or in a case of acute inflammatory condition of the teeth or gums by a licentiate of dental surgery; but the period of four weeks may, in any case of sickness, be allowed and extended at the pleasure of the board without a certificate. R.S.O. 1914, c. 270, s. 52.

Protection of teachers in regard to salary.

53. If at the expiration of a teacher's engagement his salary has not been paid in full the salary shall continue to run at the rate mentioned in the agreement until paid if an action to recover it is commenced within three months after the salary is due and payable. R.S.O. 1914, c. 270, s. 53.

Provision in case of difference between teacher and trustees.

54.—(1) All matters of difference between a board and a teacher in regard to salary or other remuneration, whatever may be the amount in dispute, shall be determined in the division court of the division in which the cause of action arose, as provided by section 105 of *The Public Schools Act*. R.S.O. 1914, c. 270, s. 54 (1); 1917, c. 27, s. 51.

When judge may relieve board from extra liability.

(2) If it appears to the judge on the trial of an action for the recovery of a teacher's salary that there was reasonable ground for the board disputing its liability, and that it was willing and offered to pay to the teacher any sum not so in dispute, the judge may relieve the board from the liability imposed by section 53 in whole or in part. R.S.O. 1914, c. 270, s. 54 (2).

ASSESSMENTS, BORROWING POWERS AND GRANTS.

Exemption of supporters of separate schools from payment of public school rates on giving certain notice.

55.—(1) Every person paying rates, whether as owner or tenant, who by himself or his agent, on or before the 1st day of March in any year, gives to the clerk of the municipality notice in writing that he is a Roman Catholic and a supporter of a separate school situate in the municipality or in a municipality contiguous thereto shall be exempt from the payment of all rates imposed for the support of public schools and of public school libraries, or for the purchase of land or the erection of buildings for public school purposes within the city, town, village or section in which he resides, for the then current year, and every subsequent year thereafter while he continues a supporter of a separate school.

No renewal required.

(2) The notice shall not be required to be renewed annually.

(3) Where an owner or tenant is not, on or before the 1st day of March in any year, a resident of the municipality or rated upon the assessment roll thereof, but subsequently becomes so resident or liable to be so rated before the time for appealing from the assessment to the court of revision, he shall be entitled to give the notice provided for by this section at any time before the expiration of the time for appealing, and a notice so given shall have the same effect as if given on or before the 1st day of March of the year in which it is given.

Time for giving notice by separate school supporter becoming resident in municipality.

(4) Every clerk of a municipality, upon receiving such notice, shall deliver a certificate to the person giving the notice to the effect that the same has been given and showing the date thereof.

Certificate of notice.

(5) Any person who fraudulently gives such notice, or wilfully makes any false statement therein, shall not thereby secure any exemption from the rates, and in addition shall incur a penalty of \$40.

Penalty for wilful false statements in notice.

(6) Nothing in this section shall exempt any person from paying any rate for the support of public schools, or public school libraries, or for the erection of a school house or school-houses, imposed before the establishment of the separate school. R.S.O. 1914, c. 270, s. 55.

As to rates imposed before separate school established.

56. Subject to the other provisions of this Part no person shall be deemed a supporter of a separate school unless he resides within three miles in a direct line of the site of the school house. R.S.O. 1914, c. 270, s. 56.

Residence of supporters of separate schools.

57.—(1) A supporter of a separate school whose residence is within three miles of two or more separate schools shall be *ipso facto* a supporter of the school nearest by road to his place of residence; but nothing herein shall affect the liabilities or obligations of a separate school supporter for debts incurred before the 7th day of April, 1896, by the board of the school of which he was a supporter.

Where separate school supporter resides within three miles of two or more schools.

(2) A supporter of a separate school having a debenture debt shall not be bound to become a supporter of another school while any part of such debt remains unpaid. R.S.O. 1914, c. 270, s. 57.

Saving as to debenture debt.

58. When a supporter of an urban school resides without the municipality in which the school is situate he shall be entitled to vote in the ward or polling subdivision in which the school house nearest to his place of residence is situate if within the distance of three miles in a direct line. R.S.O. 1914, c. 270, s. 58.

Where person residing out of municipality to vote.

Liability
of non-
resident
supporter.

59.—(1) Where a person is entitled to be and is a supporter of a separate school situate in a municipality other than that in which he resides he shall be exempt from the payment of separate school taxes or rates in the municipality in which he resides, but shall be liable to pay and shall pay the school taxes or rates to the board of the school of which he is a supporter, and the same shall be based upon his assessment in the municipality in which he resides.

How en-
forceable.

(2) The board of the school of which he is a supporter shall on or before the 1st day of August in each year notify the clerk of the municipality in which such supporter resides that he is a supporter of such school, and of the amount of the school taxes or rates payable by him, and the same shall be entered upon the collector's roll of the municipality for that year and collected in like manner as other taxes, and when collected shall be paid over to the board. R.S.O. 1914, c. 270, s. 59.

Right of
non-residents
to be assess-
ed for sepa-
rate school.

60. Any person who, if resident in a municipality, would be entitled to be a supporter of a separate school therein or in an adjoining municipality may, on giving the notice provided for by *The Assessment Act* that he is the owner of unoccupied land situate in either municipality, require that all such land as is situate either in the municipality wherein the separate school is situate or within the distance of three miles in a direct line of the site of the separate school shall be assessed for the purposes of the separate school, and the assessor shall thereupon enter such person in the assessment roll as a separate school supporter only. R.S.O. 1914, c. 270, s. 60.

Rev. Stat.
c. 195.

Notice of
withdrawal
of support.

61.—(1) A Roman Catholic who desires to withdraw his support from a separate school shall give notice thereof in writing to the clerk of the municipality before the second Wednesday in January in any year, otherwise he shall be deemed to be a supporter of the school.

Exception.

(2) A person who has withdrawn his support from a Roman Catholic separate school shall not be exempt from paying rates for the support of separate schools or separate school libraries, or for the erection of a separate school house, imposed before the time of his withdrawing such support. R.S.O. 1914, c. 270, s. 61.

Index book
of support-
ers of
separate
schools to
be kept by
clerk.

62.—(1) The clerk of every municipality shall keep entered in an Index Book, Form A, and in alphabetical order, the name of every person who has given to him, or to any former clerk of the municipality, notice in writing that such person is a Roman Catholic and a supporter of a separate school in or contiguous to the municipality, as provided by section 55 or by former Acts respecting separate schools.

(2) The clerk shall enter opposite the name, in a column Entries. for that purpose, the date on which the notice was received, and in a third column opposite the name any notice by such person of withdrawal from supporting a separate school, as provided by section 61 or by any such other Act, with the date of such withdrawal, or any disallowance of the notice by the court of revision or by a judge of the county or district court, with the date of such disallowance.

(3) The index book shall be open to inspection by any rate- Inspection. payer.

(4) The clerk shall file and carefully preserve all such Filings. notices heretofore or hereafter received.

(5) The assessor shall be guided by the entries in the index Assessor to be guided by Index book. book in ascertaining who have given the prescribed notices. R.S.O. 1914, c. 270, s. 62.

63.—(1) If it appears to the council of any municipality Correction of mistakes in assessing separate school supporters. after the final revision of the assessment roll that through mistake or inadvertence a ratepayer has been entered on the roll either as a supporter of separate schools or as a supporter of public schools the council after due inquiry and notice may correct such error by directing the school taxes of such ratepayer to be paid to the proper school board; but it shall not be competent for the council to reverse the decision of the court of revision or of a judge on appeal.

(2) In case of such action by a council the ratepayer shall Liability. be liable for the same amount of school taxes as if he had in the first instance been properly entered on the roll. R.S.O. 1914, c. 270, s. 63.

64.—(1) The clerk of every municipality, in making out Distinguishing the school rates. the collector's roll, shall place columns therein so that under the head of "School Rate" the public school rate may be distinguished from the separate school rate, and that under "Special Rate for School Debts" public school purposes may be distinguished from separate school purposes.

(2) The proceeds of any such rate shall be kept distinguished Idem. by the collector and accounted for accordingly. R.S.O. 1914, c. 270, s. 64.

65.—(1) Where land is assessed against both owner and Case of owner and occupant. occupant, or the owner and tenant, the occupant or tenant shall be deemed to be the person primarily liable for the payment of school rates and for determining whether such rates shall be applied to public or separate school purposes, and no agreement between the owner or tenant as to the payment of taxes as between themselves shall alter or affect this provision.

When owner may exercise option.

(2) Where, as between the owner and tenant or occupant the owner is not to pay taxes, if by the default of the tenant or occupant to pay the same, the owner is compelled to pay such school rate he may direct the same to be applied to either public or separate school purposes, and if the public school rate and the separate school rate are not the same he shall only be liable to pay the amount of the rate of the schools to which he directs his money to be paid. R.S.O. 1914, c. 270, s. 65.

Right of a corporation to support separate schools.

66.—(1) A corporation by notice, Form B, to the clerk of any municipality wherein a separate school exists may require the whole or any part of the land of which such corporation is either the owner and occupant, or not being the owner is the tenant, occupant or actual possessor, and the whole or any proportion of the business assessment or other assessments of such corporation made under *The Assessment Act*, to be entered, rated and assessed for the purposes of such separate school.

Rev. Stat. c. 195.

Duty of assessor.

(2) The assessor shall thereupon enter the corporation as a separate school supporter in the assessment roll in respect of the land and business or other assessments designated in the notice, and the proper entries shall be made in the prescribed column for separate school rates, and so much of the land and business or other assessments so designated shall be assessed accordingly for the purposes of the separate school and not for public school purposes, but all other land and the remainder, if any, of the business or other assessments of the corporation shall be separately entered and assessed for public school purposes.

How proportions settled.

(3) Unless all the stock or shares are held by Roman Catholics the share or portion of such land and business or other assessments to be so rated and assessed shall not bear a greater proportion to the whole of such assessments than the amount of the stock or shares so held bears to the whole amount of the stock or shares.

Effect of notice.

(4) A notice given in pursuance of a resolution of the directors shall be sufficient and shall continue in force and be acted upon until it is withdrawn, varied or cancelled by a notice subsequently given pursuant to any resolution of the corporation or of its directors.

Filing notice.

(5) Every notice so given shall be kept by the clerk on file in his office and shall at all convenient hours be open to inspection and examination by any person entitled to examine or inspect an assessment roll.

Search for notices.

(6) The assessor shall in each year, before the return of the assessment roll, search for and examine all notices which

may be so on file and shall follow and conform thereto and to the provisions of this Act. R.S.O. 1914, c. 270, s. 66.

67.—(1) The board of a separate school may impose and levy school rates and collect school rates and subscriptions upon and from persons sending children to or subscribing towards the support of such schools, and may appoint collectors for collecting the school rates or subscriptions who shall have all the powers in respect thereof possessed by collectors of taxes in municipalities. Powers of trustees.

(2) If a collector appointed by the board is unable to collect any part of a school rate charged on land liable to assessment, by reason of their being no person resident thereon or no goods and chattels to distrain, the board shall make a return to the clerk of the municipality before the end of the then current year of such land and the uncollected rates thereon. Land on which there are rates uncollected.

(3) The clerk shall make a return to the county, city, town or village treasurer of such land and the arrears of separate school rates thereon. Return.

(4) The arrears shall be collected and accounted for by the treasurer in the same manner as the arrears of other taxes. Collection of rates.

(5) The council of the township, village, town or city in which the separate school is situate shall make up the deficiency arising from such uncollected rates out of the general funds of the municipality. R.S.O. 1914, c. 270, s. 67. Deficiency.

68. The clerk or other officer of a municipality within or adjoining which a separate school is established, having possession of the assessor's or collector's roll of the municipality, shall permit any trustee or the collector of the board to make a copy of the roll in so far as it relates to the persons supporting the separate school. R.S.O. 1914, c. 270, s. 68. Trustees may copy assessment roll of municipality.

69. The clerk of a municipality in which there is a separate school shall, once in each year, upon the written request of the board, deliver to it a statement in writing showing the names of all persons appearing upon the assessment roll for the current year who have given the notice required by section 55, with the amount for which each person has been rated upon the assessment roll. R.S.O. 1914, c. 270, s. 69. Clerk to give trustees annual statement of supporters of separate schools.

70.—(1) A municipal council, if so requested by the board at or before the meeting of the council in the month of August in any year, shall, through their collectors and other municipal officers, cause to be levied in such year upon the taxable property liable to pay the same all sums of money for rates or taxes imposed thereon in respect of separate schools. Collection of separate school rates by the municipality.

Expenses
of collec-
tion.

(2) Any expenses attending the assessment, collection or payment of school rates by the municipal corporation or any of its officers shall be borne by the corporation, and the rates or taxes, as and when collected, shall within a reasonable time thereafter, and not later than the 14th day of December in each year, be paid over to the board without any deduction whatever. R.S.O. 1914, c. 270, s. 70.

Dates for
giving cer-
tain notices
where taxes
collected on
assessment
of preceding
year.

Rev. Stat.
c. 195.

71. In a municipality in which the assessment is made under a by-law passed under section 56 of *The Assessment Act* the notices required to be given under subsection 1 of section 55 shall be given on or before the 15th day of July, and the notice required to be given under subsection 1 of section 61 shall be given on or before the fourth Wednesday in May, and the request referred to in section 70 shall, if given, be given at the time mentioned therein or prior thereto if required by the council; and in subsection 3 of section 55 the words "1st day of March," in the second and ninth lines thereof, shall be read "15th day of July." R.S.O. 1914, c. 270, s. 71.

Agreements
between
municipality
and separate
school trus-
tees as to
payment in
lieu of
separate
school rate.

72.—(1) A separate school board and the council of a municipality, three-fifths of whose members are not separate school supporters, may enter into an agreement for a term of years that for each year of the term and at such times and in such sums as may be agreed upon, in lieu of and as being the amount to be levied and collected in such year for separate school purposes, there shall be paid by the corporation of the municipality to the board a fixed proportion of the total amount levied and collected within the municipality in and for the year for both public and separate school purposes.

Exception.

(2) If in and for any year the rate of assessment actually levied for separate school purposes within the municipality is not the same as that actually levied therein for public school purposes the agreement shall not be in force for or apply to such year.

Termination.

(3) The agreement may be determined by either of the parties thereto at the end of any calendar year on giving six months' previous notice to the other party. R.S.O. 1914, c. 270, s. 72.

Right to
establish and
maintain
continuation
schools.

73. The separate school board of a municipality or in a school section or union school section shall have and may exercise the same rights, powers and privileges with respect to the establishment and maintenance of continuation schools and shall be subject to the same duties and obligations with respect to such schools as the public school board of the municipality, section or union school section as the case may be. R.S.O. 1914, c. 270, s. 73.

74.—(1) The council of every county shall levy and collect by an equal rate upon the taxable property of the whole county, according to the equalized assessments of the municipalities, a sum at least equal to that part of the legislative grant for public and separate school purposes which is apportioned by the Minister on the basis of the equipment and accommodations of the rural schools of the county, and such sums shall be payable to the boards of the schools receiving such legislative grant in the same proportion as such grant is apportioned.

County rate in aid of schools.

(2) The council of every county shall levy and collect by an annual rate upon the taxable property of the whole county, according to the equalized assessments of the municipalities, a sum at least equal to that part of the legislative grant for public and separate school purposes which is apportioned to the schools in the municipality for fifth classes, and such sum shall be payable to the boards of the schools receiving such legislative grant in the same proportion as such grant is apportioned.

County to raise equivalent to legislative grant for fifth classes.

(3) The council of two or more counties united for municipal purposes may apportion the amount to be levied under this section so that each county forming the union shall be liable only for sums payable in respect of public and separate schools within such county.

Apportionment of school money in united counties.

(4) Where a board establishes and maintains a fifth form in any one of its schools and is entitled under the regulations to share in respect of it in the legislative grant for fifth forms the council of the county in which the school is situate shall pay towards the maintenance of the fifth form a sum at least equal to the share of such legislative grant which the board receives in respect of it, and may contribute for its maintenance such further sum as it may deem expedient.

Grant for maintenance of fifth forms.

(5) In the case of a separate school having in attendance children from two or more counties the council of each county shall pay a proportion of the whole sum required to be paid under subsection 4 which bears the same ratio to the whole sum as the number of children resident in it attending the school, as shown by the school register, bears to the whole number of children in attendance. R.S.O. 1914, c. 270, s. 74.

How apportioned between counties.

75.—(1) The board of a separate school may pass by-laws for borrowing money for school purposes and for making mortgages and other instruments for the security and payment thereof, or of money payable or to be paid for school sites, school buildings or additions thereto, or the repairs thereof, upon the school-house property and premises or any other real or personal property vested in the board, or upon the separate school rates, and any ratepayer who was a separ-

Borrowing powers of trustees of separate schools.

ate school supporter at the time when the loan was effected on the security of the property or rates shall, while resident within the section or municipality within which the separate school is situate, continue to be liable for the rate to be levied for the repayment of the money so secured.

Terms of
payment.

(2) The principal money may be made payable in annual or other instalments, with or without interest, and the board, in addition to all other rates or money which it may levy in any one year, may levy and collect in each year such further sum as may be requisite for paying all principal money and interest falling due in such year, and the same shall be levied and collected in each year in the same manner and from the like persons and property by, from, upon or out of which other separate school rates may be levied and collected.

Debentures.

(3) Such mortgages and other instruments may in the discretion of the board be made in the form of debentures; and the debentures shall be a charge on the same property and the rates as in the case of mortgages thereof made by the board.

Maturity.

(4) The debt to be so incurred and the debentures to be issued therefor may be made payable in thirty years at the furthest, and in equal annual instalments of principal and interest, or in any other manner authorized by *The Municipal Act* in the case of debentures issued under that Act.

1922, c. 72.

Sinking
fund.

(5) Where the debt is not payable by instalments the board shall levy in each year during its currency in addition to the amount required to pay the interest falling due in such year a sum such that the aggregate amount so levied during the currency of the debt, with the estimated interest on the investments thereof, will be sufficient to discharge the debt when it becomes payable, which shall be invested in the manner provided by *The Municipal Act* as to the investment of sinking funds. R.S.O. 1914, c. 270, s. 75 (1-5).

1922, c. 72.

Publication
of by-law.

(6) Every such by-law, before being acted upon, shall be published at least for three successive weeks in some public newspaper published weekly or oftener in the city, town or county in which the separate school is situate; and if no application to quash the by-law is made for three months after the publication thereof the by-law shall be valid, notwithstanding any want of substance or form in the by-law or in the time or manner of passing the same. R.S.O. 1914, c. 270, s. 75 (6); 1914, c. 2, sched. (37).

Amounts.

(7) The debentures issued under the by-law may be for such amounts as the board may deem expedient. R.S.O. 1914, c. 270, s. 75 (7).

76.—(1) Every separate school shall be entitled to share in all grants, investments and allotments for public school purposes now or hereafter made by any municipal authority according to the average number of pupils attending the school during the next preceding twelve months, or during the number of months which may have elapsed from the establishment of a new separate school, as compared with the whole average number of pupils attending school in the same city, town, village or township. Right of separate schools to a share of municipal grant.

(2) Where the grant is made by a county council the same shall be apportioned in like manner as the legislative grant. Apportionment.

(3) A separate school shall not be entitled to share in any school money arising or accruing from local assessment for public school purposes within the city, town, village or township in which the school is situate. R.S.O. 1914, c. 270, s. 76. But not to any share of local assessment for public schools.

MISCELLANEOUS.

77. The Minister of Education, the judges of all courts, members of the assembly, heads of the municipal corporations in their respective localities, the inspectors of public schools and clergymen of the Roman Catholic Church shall be visitors of separate schools. R.S.O. 1914, c. 270, s. 77. Visitors of separate schools.

78. The schools with their registers shall be subject to such inspection as may be directed by the Minister of Education and shall be subject also to the Regulations. R.S.O. 1914, c. 270, s. 78. Inspection of schools.

79. The Minister of Education may, subject to the Regulations, constitute a separate school in any county or district a Model School for the training of teachers for separate schools. R.S.O. 1914, c. 270, s. 79. Model schools for teachers of separate schools.

80. In the event of a disagreement between a board and the inspector of public schools or any municipal authority or of a complaint against the election of a rural school trustee or against the establishment of a school in close proximity to an existing school, or any other proceeding of a rural school meeting, signed by five supporters of the school concerned or of such existing school, the matter in difference shall be determined by the Minister of Education, subject to an appeal to the Lieutenant-Governor in Council, whose decision shall be final. R.S.O. 1914, c. 270, s. 80. Disagreement between trustees, inspectors, etc.

SUPERANNUATION.

81. Every teacher and inspector whose name was, on the 30th day of March, 1886, entered as having contributed to the fund for superannuated teachers may continue to con- Superannuation fund.

tribute to such fund, in such manner as may be prescribed by the Regulations, at least \$4 annually, but no payment of arrears which accrued before the 1st day of January, 1885, shall be allowed. R.S.O. 1914, c. 270, s. 81.

Repayment
to wife, etc.,
of deceased
teacher.

82. On the death of any such teacher or inspector the wife, husband, or legal representative of such teacher or inspector shall be entitled to receive the amount paid into the superannuation fund by such teacher or inspector, with interest at the rate of seven per centum per annum. R.S.O. 1914, c. 270, s. 82.

Allowance
upon retire-
ment at
sixty years
of age.

83.—(1) Every such teacher and inspector who while engaged in his profession has contributed to the fund for superannuated teachers as provided by this Act shall on reaching the age of sixty years, if he retires from the profession, receive an allowance at the rate of \$6 per annum for every year of service in Ontario upon furnishing evidence of good moral character, age and length of service.

Or after
30 years'
service.

(2) A teacher or inspector who has reached the age of sixty years shall not be disqualified for superannuation by reason of his having retired from active service before reaching that age, if he has served for a period of thirty years. R.S.O. 1914, c. 270, s. 83.

Retirement
through
disability.

84. Every such teacher and inspector under sixty years of age who has so contributed and who is disabled from practising his profession shall be entitled to a like annual allowance upon furnishing evidence as to length of service, moral character and disability. R.S.O. 1914, c. 270, s. 84.

Extra
allowance
to certain
teachers.

85.—(1) Every superannuated teacher and inspector who holds a first or second class provincial certificate, or a first-class county board certificate, or who has been a principal of a high school or collegiate institute, shall be entitled to receive a further allowance at the rate of \$1 per annum for every year of service while he held such certificate, or while he acted as principal of a high school or collegiate institute.

When allow-
ance to
cease.

(2) The retiring allowance shall cease at the close of the year in which the death of the recipient takes place. R.S.O. 1914, c. 270, s. 85.

Teacher
resuming
profession.

86. If a superannuated teacher or inspector, with the consent of the Minister, resumes the profession of a teacher or inspector the payment of his allowance shall be suspended during the time he is so engaged; and if he is again placed on the superannuation list an allowance for the additional time of service shall be made on compliance with this Act and the Regulations. R.S.O. 1914, c. 270, s. 86.

Again
retiring.

87. A teacher or inspector who having resumed his profession wilfully draws or continues to draw upon the superannuation fund shall forfeit all claim to the fund and his name shall be struck off the superannuation list. R.S.O. 1914, c. 270, s. 87. Forfeiture of claim.

88. A teacher or inspector who retires from the profession or who desires to remove his name from the list of contributors to the superannuation fund shall be entitled to receive back one-half of any sum contributed by him to the fund. R.S.O. 1914, c. 270, s. 88. Repayment to contributors.

89. Where a teacher or inspector does not avail himself of the provisions of section 81 or of section 88, sections 82 to 87 shall apply so far as relates to all sums already paid by them into the superannuation fund. R.S.O. 1914, c. 270, s. 89. Teachers not availing themselves of Act.

90.—(1) Subject to the Regulations the separate school board of a city or town may make such annual grant as may be deemed proper for the establishment or in aid of a superannuation fund for the teachers and officers of the board of such city or town, and make rules prescribing the terms and conditions upon and under which they shall be entitled to participate therein, and may make it a term of the engagement of a teacher or officer that he shall contribute to the fund such annual sum as may be prescribed by such rules. Grant by board to superannuation fund.

(2) A separate school board may invest any money received through legacy, gift or otherwise in its hands for the purposes of a superannuation fund and as to such money shall have and may exercise the powers conferred upon trustees by *The Trustee Act*. R.S.O. 1914, c. 270, s. 90. Power of investment. Rev. Stat. c. 121.

SCHOOL YEAR AND HOLIDAYS.

91.—(1) The school year shall consist of two terms, the first of which shall begin on the 1st day of September and shall end on the 22nd day of December, and the second of which shall begin on the 3rd day of January and end on the 29th day of June. R.S.O. 1914, c. 270, s. 91 (1). Terms.

(2) Every day upon which a school is closed under the provisions of *The Public Health Act* or under the Regulations of the Department of Education, every Saturday, every public holiday, the week following Easter Day and every day proclaimed a holiday by the authorities of the municipality in which the teacher is engaged shall be a holiday. R.S.O. 1914, c. 270, s. 91 (2); 1919, c. 73, s. 18. Holidays.

(3) With the approval of the inspector the board of a rural school may substitute holidays in some other part of the year for part of the time herein allowed for Easter and Midsummer In rural schools.

vacations to suit the convenience of pupils and teachers, but the number of holidays prescribed by subsections 1 and 2 shall be allowed in each year. R.S.O. 1914, c. 270, s. 91 (3).

PENALTIES AND PROHIBITIONS.

Use of unauthorized books.

92. If a teacher negligently or wilfully permits an unauthorized book to be used as a text book by the pupils of his school the Minister, on the report of the inspector, may suspend such teacher, and the board may also deduct from his salary a sum equal to so much of the legislative grant as has been withheld on account of the use of such book or any less sum at its discretion. R.S.O. 1914, c. 270, s. 92.

False declaration as to right to vote.

93. Any person who wilfully makes a false declaration of his right to vote at any school meeting or at an election of school trustees shall incur a penalty of not less than \$5 nor more than \$10. R.S.O. 1914, c. 270, s. 93.

Disqualification for certain offices.

94. A trustee of a separate school shall not be eligible for appointment as separate school inspector or teacher, nor shall the teacher of a high, public or separate school hold the office of trustee of a separate school, nor shall an inspector be a teacher or trustee of any separate school while he holds the office of inspector. R.S.O. 1914, c. 270, s. 94.

Seat vacated by conviction for crime, etc.

95. If a trustee is convicted of any indictable offence, or becomes insane, or without being authorized by resolution entered upon the minutes absents himself from the meetings of the board for three consecutive months, or ceases to reside within the municipality in case of an urban school, or within three miles of the school in the case of a rural school, he shall *ipso facto* vacate his seat and the remaining trustee or trustees shall declare his seat vacant. R.S.O. 1914, c. 270, s. 95.

Seat vacated by interest in contract with board.

96.—(1) A trustee shall not enter into any contract, agreement, engagement or promise, either in his own name or in the name of another, and either alone or jointly with another in which he has any pecuniary interest, profit or promised or expected benefit, with the board of which he is a member, or have any pecuniary claim upon or receive compensation from the board for any work, engagement, employment or duty on behalf of the board; and every such contract, agreement, engagement or promise shall be null and void, and a trustee violating the provisions of this section shall *ipso facto* vacate his seat.

When seat may be declared vacant.

(2) On the complaint of two supporters of the school or of the remaining trustee or trustees the Judge of the County or District court shall, on proof of the facts, declare the seat vacant, and the remaining trustee or trustees shall forthwith order a new election.

(3) Nothing in this section shall prevent a trustee receiving payment for services as a collector or prevent the board from allowing the secretary or treasurer such compensation for his services as may be approved at the annual meeting of the supporters of the school and duly entered in the minutes. Exception.

(4) No person shall be disqualified from being a member of a board or from sitting and voting on such board by reason only of his being proprietor of or otherwise interested in a newspaper or other periodical publication subscribed for by the board or in which an advertisement is inserted in the regular course of business if such advertisement or subscription is paid for at the usual rate, but such member shall not be entitled to vote where his own account is in question. Newspaper proprietors inserting official advertisements not disqualified.
R.S.O. 1914, c. 270, s. 96.

97. Any person who wilfully interrupts or disquiets the proceedings of a school meeting or a separate school by rude or indecent behaviour, or by making a noise either within the place where such meeting is held or such school is kept or so near thereto as to interfere with the proceedings of the meeting or order of exercises of the school, shall for each offence incur a penalty not exceeding \$20. Penalty for disturbing a school or school meeting. R.S.O. 1914, c. 270, s. 97.

98. A trustee who refuses to serve after being duly elected shall incur a penalty of \$5, and a person elected as a trustee who as such attends any meeting of the board after becoming disqualified shall incur a penalty of \$20 for every meeting so attended. Refusing to serve. Disqualified person acting. R.S.O. 1914, c. 270, s. 98.

99. Every person elected as trustee who has not refused to accept the office and who at any time refuses or neglects to perform its duties shall incur a penalty not exceeding \$20. Penalty for refusal to perform duties. R.S.O. 1914, c. 270, s. 99.

100. A chairman who neglects to transmit to the inspector a minute of the proceedings of any annual or other rural school meeting over which he has presided within ten days after the holding of such meeting shall incur a penalty not exceeding \$5. Penalty for failing to transmit minutes. R.S.O. 1914, c. 270, s. 100.

101. If a board refuses or neglects to take proper security from the treasurer or other person to whom it entrusts school money, and any school money is forfeited or lost to the board in consequence of such refusal or neglect, every member of the board shall be personally liable for such money and the same may be recovered by the board or any supporter interested therein in any court of competent jurisdiction, but no member shall be liable if he proves that he made reasonable efforts to procure the taking of such security. Liability for neglect to take security. Exception. R.S.O. 1914, c. 270, s. 101.

Secretary,
treasurer
or trustee
refusing
to deliver
up books
and money.

102. A secretary or treasurer and a person having been a secretary or treasurer and a trustee or other person who has in his possession any book, paper, chattel or money which came into his possession as such secretary, treasurer, trustee or otherwise shall not wrongfully withhold, or neglect, or refuse to deliver up, or account for and pay over the same or any part thereof to the person, and in the manner directed by the board or by other competent authority. R.S.O. 1914, c. 270, s. 102.

Summons
for
appearance.

103.—(1) Upon application to a Judge of the County or District court by the board or by any two supporters of the school, supported by affidavit, showing such wrongful withholding or refusal the Judge may summon such secretary, treasurer, trustee, or person to appear before him at a time and place appointed by him.

Service of
summons.

(2) Any bailiff of a division court, upon being requested so to do, shall serve the summons or a true copy thereof on the person complained against personally or by leaving the same with a grown-up person at his residence.

Order to
account, etc.

(3) At the time and place so appointed the Judge, being satisfied that service has been made, shall, in a summary manner, and whether the person complained against does or does not appear, hear the complaint; and if he is of opinion that it is well founded the Judge shall order the person complained against to deliver up, account for and pay over such book, paper, chattel or money by a day to be named by the Judge in the order, together with such reasonable costs incurred in making the application as the Judge may allow.

Effect of
non-compliance
with
judge's
order.

(4) In the event of non-compliance with the order the Judge may order the person complained against to be forthwith arrested by the sheriff of any county or district in which he may be found, and to be committed to the common gaol of the county or district in which he resides, there to remain without bail until the Judge is satisfied that he has delivered up, accounted for or paid over the book, paper, chattel or money in the manner directed by the board or other competent authority.

Discharge
upon compli-
ance.

(5) Upon proof of his having so done the Judge shall make an order for his discharge and he shall be discharged accordingly.

Discharge
upon terms.

(6) Upon proof that such person has done all in his power to deliver up, account for or pay over such book, paper, chattel or money as directed the judge may order his discharge on such terms or conditions as he may deem just.

(7) Such proceedings shall not impair or affect any other ^{Other} remedy which the board or any other person may have against ^{remedy not} the person complained against or against any other person. ^{affected.}
R.S.O. 1914, c. 270, s. 103.

104. It shall be the duty of the board and of the secretary and the treasurer to furnish the auditors with any papers or ^{Penalty on} information in its or his power which may be required of it or ^{trustees} him relating to the school accounts, and any member of the ^{refusing} board or a secretary or treasurer who neglects or refuses so ^{information,} to do shall incur a penalty not exceeding \$20. ^{etc., to} R.S.O. 1914, ^{auditors.} c. 270, s. 104.

105. If a board neglects to transmit its annual report to ^{Penalty for} the Minister in accordance with clause 1 of section 45 each of ^{delaying} them shall for every week during which the default continues ^{report.} and until such report is transmitted incur a penalty of \$5.
R.S.O. 1914, c. 270, s. 105.

106. If a trustee knowingly signs a false report, or if a ^{Penalty for} teacher keeps a false school register or makes a false return, ^{false school} he shall for every offence incur a penalty not exceeding \$20. ^{reports and} R.S.O. 1914, c. 270, s. 106. ^{registers.}

107.—(1) The trustees of every separate school shall be ^{Personal} personally responsible for the amount of any school money ^{responsi-} forfeited by or lost to the board in consequence of their neglect ^{bility for} of duty. ^{money lost.}

(2) The amount so forfeited or lost shall when collected ^{Collection} be applied in the manner provided for by this Act. ^{and appli-} R.S.O. ^{cation.} 1914, c. 270, s. 107.

108. Except as otherwise provided the penalties imposed ^{Recovery} by or under the authority of this Act shall be recoverable ^{and applica-} under *The Ontario Summary Convictions Act*, and shall be ^{tion of} applied to such separate school purposes as the Minister may ^{penalties.} direct. ^{Rev. Stat.} R.S.O. 1914, c. 270, s. 108. ^{c. 90.}

FORM A.

FORM OF INDEX BOOK.

(Section 62.)

Names.	Notices claiming exemption When received.	Remarks.
Allen, John.....	3rd February, 19 .	Notice of withdrawal received 1st January, 19 .
Ardagh, Joseph.....	3rd February, 19 .	Disallowed by Court of Revision, 1st June, 19 .
Ashbridge, Robert.....	3rd February, 19 .	

R.S.O. 1914, c. 270, Form A.

FORM B.

(Section 66.)

NOTICE BY CORPORATION AS TO APPLICATION OF SCHOOL TAX.

To the Clerk of (*describing the municipality*),

Take notice that (*here insert the name of the corporation so as to sufficiently and reasonably designate it*) pursuant to a resolution in that behalf of the directors requires that hereafter and until this notice is either withdrawn or varied, the whole or so much of the assessment for land and business or other assessments of the corporation within (*giving the name of the municipality*) as is hereinafter designated shall be entered, rated, and assessed for separate school purposes, namely, one-fifth (*or as the case may be*) of the land and business or other assessments.

Given on behalf of the said company this (*here insert date*).

R.S., Secretary of the company.

R.S.O. 1914, c. 270, Form B.*

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TO

THE SEPARATE SCHOOLS ACT

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